

BORA LASKIN LAW LIBRARY



3 1761 10083527 1

SOURCEBOOK ON  
PSYCHIATRY, MENTAL HEALTH AND THE LAW

Professor B. M. Dickens

1988/1989

FACULTY OF LAW  
UNIVERSITY OF TORONTO

LAW LIBRARY

SEP 22 1988

FACULTY OF LAW  
UNIVERSITY OF TORONTO

FACULTY OF LAW LIBRARY  
UNIVERSITY OF TORONTO

SOURCEBOOK ON  
PSYCHIATRY, MENTAL HEALTH AND THE LAW

Professor B. M. Dickens

1988/1989

FACULTY OF LAW  
UNIVERSITY OF TORONTO



Digitized by the Internet Archive  
in 2018 with funding from  
University of Toronto

<https://archive.org/details/sourcebookonpsyc00dick>

# PSYCHIATRY, MENTAL HEALTH AND THE LAW

## TABLE OF CONTENTS

<b>PART I</b>	<b>COURSE OUTLINE</b>	<b>1.1</b>
<b>PART II</b>	<b>READINGS FOR RESEARCH</b>	<b>2.1</b>
<b>PART III</b>	<b>TEXTS</b>	
	Legal Evolution of the Concept of Brain Death	3.1
	Withholding Paediatric Medical Care: <u>Re Superintendent of Family and Child Service and Dawson et al.</u>	3.5
	Retardation and Sterilization	3.13
	No Contraceptive Sterilization of the Mentally Retarded: The Dawn of "Eve"	3.37
	Book Review (of Frank J. Ayd, ed., <u>Medical, Moral and Legal Issues in Mental Health Care</u> )	3.40
	Report on <u>Mental Disorder in the Criminal Process</u> -- Law Reform Commission of Canada	3.42
	The Sense of Justice and Criminal Responsibility	3.68
	Warrants of the Lieutenant Governor	3.83
	Persons Discharged From Warrants of the Lieutenant Governor	3.88
	Sexual Aggression and the Law: Implications for the Future	3.96
	Ethical and Legal Issues in Medical Management of Sex Chromosome Abnormal Adolescents	3.113
	Dangerous Offenders: Legal Issues	3.123
	Prediction, Professionalism and Public Policy	3.150
	Charter Implications for Procedures Under the Ontario Mental Health Act	3.166
	The Charter of Rights and Freedoms and the Mental Health System: A Comparison of Law as Written and Law as Applied	3.171

Legal Issues in Medical Management of Violent and Threatening Patients	3.177
Report of the Commission of Inquiry into the Confidentiality of Health Records: Recommendations -- Krever, J., Commissioner	3.186
[Mental Health Information Systems:] Problems and Prospects	3.215
x Legal Protection of Psychiatric Confidentiality	3.227
Ethical Issues in Psychiatric Research	3.254
Terminal Care, Incompetent Persons and Donation	3.276
<u>Lyons v. The Queen</u> , 37 C.C.C. (3d)	3.280

#### **PART IV            STATUTORY REFERENCES**

##### **A.    CONSTITUTIONAL AND FEDERAL ENACTMENTS**

<b>Constitution Act, 1982</b> (Sch. B. of the Canada Act, 1982, c. 11 (U.K.)) [ <u>extracts</u> ]	4.1
<b>Canadian Bill of Rights</b> , R.S.C. 1970, App. III.	4.4
<b>Canadian Human Rights Act</b> , S.C. 1976-77, c. 33 [ <u>extracts</u> ], as amended	4.5
<b>Criminal Code</b> , R.S.C. 1970, c. C-34 [ <u>extracts</u> ], as amended	4.10

##### **B.    PROVINCIAL ENACTMENTS**

<b>Dependent Adults Act</b> (Alberta), R.S.A. 1980, c. D-32, as amended	4.21
<b>Business Practices Act</b> , R.S.O. 1980, c. 55 [ <u>extracts</u> ]	4.46
<b>Courts of Justice Act</b> , 1984, S.O. 1984, c. 11 [ <u>extract</u> ]	4.48

Ontario Regulation 560/84 (" <b>Rules of Civil Procedure</b> ") under the <b>Courts of Justice Act</b> [ <u>extracts</u> ]	4.48
<b>Developmental Services Act</b> , R.S.O. 1980, c. 118, as amended	4.55
<b>Evidence Act</b> , R.S.O. 1980, c. 145 [ <u>extracts</u> ]	4.62
<b>Family Benefits Act</b> , R.S.O. 1980, c. 151 [ <u>extracts</u> ]	4.63
Regulation 318 (" <b>General</b> "), R.R.O. 1980 [ <u>extracts</u> ], as amended (under the <b>Family Benefits Act</b> )	4.64
<b>Human Rights Code, 1981</b> , S.O. 1981, c. 53 [ <u>extracts</u> ], as amended	4.65
<b>Interpretation Act</b> , R.S.O. 1980, c. 219 [ <u>extracts</u> ]	4.72
<b>Limitations Act</b> , R.S.O. 1980, c. 240 [ <u>extracts</u> ]	4.73
<b>Marriage Act</b> , R.S.O. 1980, c. 256 [ <u>extracts</u> ]	4.75
x <b>Mental Health Act</b> , R.S.O. 1980, c. 262, as amended (December 1987)	4.76
<b>Equality Rights Statute Law</b> , S.O. 1986, c. 64 [ <u>extracts</u> ]	4.93
Bill 190, <b>An Act to Amend the Mental Health Act</b> 2d Sess., 33d Leg. Ont., 1987	4.102
Regulation 609 (" <b>Application of Act</b> "), R.R.O. 1980 [ <u>extracts</u> ], as amended (under the <b>Mental Health Act</b> )	4.106
x <b>Mental Incompetency Act</b> , R.S.O. 1980, c. 264	4.107
x <b>Equality Rights Statute Law</b> , S.O. 1986, c. 64 [ <u>extracts</u> ]	4.115
<b>Powers of Attorney Act</b> , R.S.O. 1980, c. 386, as amended	4.116
<b>Equality Rights Statute Law</b> , S.O. 1986, c. 64 [ <u>extracts</u> ]	4.118
<b>Provincial Offences Act</b> , R.S.O. 1980, c. 400 [ <u>extracts</u> ]	4.119



<b>Public Trustee Act, R.S.O. 1980, c. 422</b>	4.121
<b>Variation of Trusts Act, R.S.O. 1980., c. 519</b>	4.124



## PART I

COURSE OUTLINE

**Psychiatry, Mental Health and the Law** is a seminar about the rights and responsibilities of the mentally ill, the mentally retarded and those charged with caring for them. After the instructor's initial overview (in lecture format) of the subject's central themes, each student will have the opportunity to give a presentation on a relevant topic. There is plenty of room for flexibility. Guest speakers and field trips may also be arranged. **Evaluation**, however, will be based exclusively on a term-length paper (which will satisfy the law school's writing requirement) or on a final examination, at the student's option. Subject to Faculty Council approval, a take-home examination may also be offered.

The substance of the course will comprise as many as possible of the following issues:

I. MENTAL HEALTH AND THE CIVIL LAW

## A. CIVIL CAPACITY

## 1. Common Law Criteria and Consequences

- a. civil capacity and civil procedure
- b. capacity to contract
- c. capacity to incur tort liability
- d. capacity to marry
- e. testamentary capacity and other property dispositions
- f. capacity to instruct counsel
- g. capacity to consent to medical or institutional treatment

## 2. Statutory Proceedings

- a. Mental Incompetency Act
- b. Part III of the Mental Health Act

## B. GUARDIANSHIP

## 1. Personal Guardianship

- a. general
- b. brain death and life-support systems: the role of the guardian

## 1.2

- c. the mentally retarded
  - i. general
  - ii. retardation and sterilization

## 2. Property Guardianship

- a. powers of attorney
- b. Mental Health Act
- c. Mental Incompetency Act

## C. CIVIL DETENTION

1. Criteria and Procedures: Part II of the Mental Health Act
2. The Right to Treatment While Institutionalized
3. Restraint and Treatment Without Consent: the Right to Refuse Treatment

## II. MENTAL HEALTH AND THE CRIMINAL JUSTICE SYSTEM

### A. QUESTIONS OF CAPACITY

1. Procedural
  - a. forms of procedural capacity
    - i. capacity to instruct counsel
    - ii. fitness to plead and stand trial
  - b. detecting procedural capacity: psychiatric remands
    - i. criminal offences
    - ii. provincial offences
2. Substantive: The Capacity to Form Mens Rea
  - a. the insanity defence
  - b. automatism
  - c. diminished responsibility
  - d. public welfare offences

### B. QUESTIONS OF DISPOSITION

1. Pre-trial Detention: Mentally Disordered Suspects
2. Sentencing and Treatment
  - a. criminal detention and civil detention
  - b. Lieutenant Governor's warrants

### 1.3

- i. assignment to appropriate facilities
  - ii. arrangements for review and release
- c. dangerous offender proceedings: Part XXI of the Criminal Code
  - i. punishment
  - ii. treatment
- d. post-sentence psychiatric disorder

## III. FORENSIC PSYCHIATRY AND PSYCHIATRIC EVIDENCE

### A. CRIMINAL JUSTICE

1. Psychiatric remands
2. The Insanity Defence
3. Dangerous Offender Proceedings

### B. CIVIL PROCEEDINGS

1. In Court
  - a. Mental Incompetency Act
  - b. section 56 of the Mental Health Act
  - c. other proceedings
2. Review Boards
  - a. Parts II and III of the Mental Health Act
  - b. the Criminal Code

## IV. LEGAL CONTROL OF PSYCHIATRIC PRACTICE

### A. THE COMMON LAW: PSYCHIATRIC MALPRACTICE

1. Toward the Patient
  - a. contractual liability
  - b. tort liability
    - i. the duty to inform and respect the patient's wishes
      - A) in general
      - B) in psychiatric research
      - C) the therapeutic privilege of nondisclosure
    - ii. negligence in therapy and treatment
    - iii. wrongful commitment
    - iv. failure to restrain

v. breach of confidentiality

**2. Toward Third Parties**

- a. failure to warn of apprehended peril
- b. failure to restrain
- c. the duty to warn of impending release

**B. PROFESSIONAL REGULATION AND DISCIPLINE**

**V. MENTAL HEALTH AND CIVIL LIBERTIES**

**A. THE CHARTER**

- 1. The Fundamental Freedoms
- 2. The Right to Vote
- 3. Section 7
- 4. The Presumption of Innocence
- 5. Cruel and Unusual Treatment
- 6. Other Legal Rights
- 7. Equality Rights and "Mental Disability"

**B. HUMAN RIGHTS LEGISLATION**

- 1. The Federal Act
- 2. The Ontario Code

### READINGS FOR RESEARCH

The works below have been culled almost exclusively from the English language periodical literature. There has been no effort to be exhaustive even within that literature or to evaluate the works for inclusion on criteria of merit. Students are encouraged not to overlook the abundance of useful material available in book form.

1. Adams, Susie "Psychiatric Testimony and The Issue of Future Dangerousness" 20 Houston L. Rev. 1179 (1983).
2. Anand, R. "Involuntary Civil Commitment in Ontario: The Need to Curtail the Abuses of Psychiatry" 57 Can. Bar Rev. 250 (1979).
3. Annas, George J. "The Incompetent's Right to Die: The Case of Joseph Saikewicz" Hastings Centre Report 21 (1978).
4. Annas, George J. "Judges at the Bedside: the Case of Joseph Saikewicz" 1 Medicolegal News 10 (1978).
5. Annas, George J. "Reconciling Quinlan and Saikewicz: Decision Making for the Terminally Ill Incompetent" 4 Am. J. L. & Medicine 367 (1979).
6. Annas, George J. & Densberger, Joan E. "Competence to Refuse Medical Treatment: Autonomy v. Paternalism" 15 Toledo L. Rev. 561 (1984).
7. Apodaca, Lillian & Fink, Lori "Criminal Law: Premenstrual Syndrome in the Courts?" 24 Washburn L.J. 54 (1984).
8. Appelbaum, Paul S. "Hospitalization of the Dangerous Patient: Legal Pressures and Clinical Responses" 12 Am. Acad. Psychiatry & L. Bull. 323 (1984).
9. Appelbaum, Paul S. "Is the Need for Treatment Constitutionally Acceptable as a Basis for Civil Commitment?" 12 Law, Medicine & Health Care 144 (1984).
10. Appelbaum, Paul S. "Standards for Civil Commitment: A Critical Review of Empirical Research" 7 Int'l J. L. & Psychiatry 133 (1984).
11. Appelbaum, Paul S. & Bateman, A.L. "Competency to Consent to Voluntary Psychiatric Hospitalization: A Theoretical Approach" 7 Am. Acad. Psychiatry & L. Bull. 390 (1980).
12. Appelbaum, Paul S. et al. "Confidentiality: An Empirical Test of the Utilitarian Perspective" 12 Am. Acad. Psychiatry & L. Bull. 109 (1984).



13. Aronin, Douglas "Cults, Deprogramming, and Guardianship: A Model Legislative Proposal" 17 Colum. J.L. & Social Problems 163 (1982).
14. Arons, B.S. "Working in the 'Cuckoo's Nest': An Essay on Recent Changes in Mental Health Law and the Changing Role of Psychiatrists in Relation to Patient and Society" 9 Toledo L. Rev. 73 (1977).
15. Aynes, R.L. "Behavior Modification: Winners in the Game of Life?" 24 Cleve. St. L. Rev. 422 (1975).
16. Baker, D. "Ontario's Mental Health (Amendment) Act 1978" 2 Leg. Med. Q. 177 (1978).
17. Baker, William L. "Castration of the Male Sex Offender: A Legally Impermissible Alternative" 30 Loyola L. Rev. 377 (1984).
18. Baldwin, D. "O'Connor v. Donaldson: Involuntary Civil Commitment and the Right to Treatment" 7 Colum. Human Rights L. Rev. 573 (1975-76).
19. Barnett, C.F. "Treatment Rights of Mentally Ill Nursing Home Residents" 126 U. Pa. L. Rev. 578 (1978).
20. Barnhart, B.A., Pinkerton, M.L. & Roth, R.T. "Informed Consent to Organic Behaviour Control" 17 Santa Clara L. Rev. 39 (1977).
21. Baron, C.H. "Assuring 'Detached but Passionate Investigation and Decision': The Role of Guardians Ad Litem in Saikewicz-type Cases" 4 Am. J. L. & Medicine 111 (1978).
22. Barron, E.L. "A Parent's Right to Seek Sterilization for an Incompetent Minor" 16 The Forum 1081 (1981).
23. Bartholomew, A.A. and Milte, K.L. "Prisoners' Rights and Behaviour Therapy" 12 Aust. & N.Z. J. of Criminology 222 (1979).
24. Batt, John & Bastien, Christopher P. "Suicide as Compensable Claim under Workers' Compensation Statutes: A Guide for the Lawyer and the Psychiatrist" 86 W. Va. L. Rev. 369 (1984).
25. Baum, Edwin M. "Handicapped Prisoners: An Ignored Minority?" 18 Colum. J. L. & Soc. Problems 349 (1984).
26. Bays-Beinart, Donna J. "Exclusive Juvenile Jurisdiction to Authorize Sterilization of Incompetent Minors" 16 Indiana L. Rev. 835 (1983).
27. Beck, James C. "When the Patient Threatens Violence: An Empirical Study of Clinical Practice after Tarasoff" 10 Am. Acad. Psychiatry & L. Bull. 189 (1982).
28. Beck, J.H. "Employment Law and the Mentally Handicapped" 6 Dalhousie L.J. 258 (1980).

### 2.3

29. Benjamin, T.B. & Lux, K. "Solitary Confinement as Psychological Punishment" 13 Cal. Western L. Rev. 265 (1977).
30. Bernstein, H. Carol "Psychotherapist-Patient Privilege under Federal Rule of Evidence 501" 75 J. Crim. L. & Criminology 388 (1984).
31. Beyer, S. "Madness and Medicine: The Forcible Administration of Psychotropic Drugs" [1980] Wisc. L. Rev. 497.
32. Brakel, S.J. "Legal Aid in Mental Hospitals" 1 Am. Bar Foundation Rsch. J. 21 (1981).
33. Brandt, G.J. "Liability of Custodial Institutions for Torts of Patient-Inmates" 1 Leg. Med. Q. 193 (1977).
34. Brazier, Margaret "Prison Doctors and their Involuntary Patients" [1982] Public Law 282.
35. Brewer, Peter J. "Massachusetts Applies Substituted Judgment to Probate Court Sterilization Proceedings - In re Moe" 17 Suffolk U. L. Rev. 211 (1983).
36. Brooks, A.D. "The Constitutional Right to Refuse Antipsychotic Medications" 8 Am. Acad. Psychiatry & L. Bull. 179 (1981).
37. Brown, P.N. "Guilt by Physiology: The Constitutionality of Tests to Determine Predisposition to Violent Behavior" 48 So. Calif. L. Rev. 489 (1974).
38. Brown, R.S. & Curtis, R.W. "The Castration Alternative" 19 Can. J. Criminology & Corrections 157 (1977).
39. Bruggeman, A.L. "Guardianship of Adults with Mental Retardation: Towards a Presumption of Competence" 14 Akron L. Rev. 321 (1980).
40. Buchanan, A.E. "The Limits of Proxy Decisionmaking for Incompetents" 29 U.C.L.A. L. Rev. 386 (1981).
41. Burgdorf, R.L. Jr. & Burgdorf, M.P. "The Wicked Witch is Almost Dead: Buck v. Bell and the Sterilization of Handicapped Persons" 50 Temple L.Q. 995 (1977).
42. Burnett, Barbara A. "Voluntary Sterilization for Persons with Mental Disabilities: The Need for Legislation" 32 Syracuse L. Rev. 913 (1981).
43. Burns, Robert E., Casenote on Tarasoff v. Regents of the University of California, 9 Akron L. Rev. 191 (1975).
44. Burns, Robert P. "Behavior Modification as a Punishment" 22 Am. J. Jurisprudence 19 (1977).



45. Burnstin, Sheila M. "Constitutional Law - Due Process - Civil Commitment - Absent Treatment, A Nondangerous Mentally Ill Person Able to Survive Safely in Society Has a Constitutional Right to Release - O'Connor v. Donaldson" 51 Wash. L. Rev. 764 (1976).
46. Butler, K.A. "A Chance to be Heard: An Application of Bellotti v. Baird to the Civil Commitment of Minors" 32 Hastings L.J. 1285 (1981).
47. Byrne, Paul A. et al. "Brain Death: The Patient, The Physician and Society" 18 Gonzaga L. Rev. 429 (1982/83).
48. Cantor, N.L. "Quinlan, Privacy, and the Handling of Incompetent Dying Patients" 30 Rutgers L. Rev. 243 (1977).
49. Cassidy, P.S. "The Liability of Psychiatrists for Malpractice" 36 U. Pgh. L. Rev. 108 (1974).
50. Cerveney, Kathleen L. & Kent, Marian J. "The Psychotherapist - Patient Privilege in Federal Courts" 59 Notre Dame L. Rev. 791 (1984).
51. Citarella, K.C. "Case Comment on Parham v. J.R.: Civil Commitment of Children by Parents" 25 N.Y. Law School L. Rev. 1001 (1980).
52. Clausing, Marilee "The Acceptance of Brain Death as a Legal Definition of Death in Illinois: In Re Haymer" 33 De Paul L. Rev. 207 (1983).
53. Cobun, Lynnette S. "The Insanity Defense: Effects of Abolition Unsupported by a Moral Consensus" 9 Am. J. L. & Medicine 471 (1984).
54. Cogbill, J.V. "Outpatient Mental Health Care Services - A Minor's Right" 13 U. Richmond L. Rev. 915 (1979).
55. Cohen, Fred "Old Age as a Criminal Defense" 21 Crim. L. Bull. 5 (1984).
56. Colabrese, Carol A. "In re Storar: The Right to Die and Incompetent Patients" 43 U. Pgh. L. Rev. 1087 (1982).
57. Coleman, S.S. "Involuntary Sterilization of the Mentally Retarded: Blessing or Burden?" 25 So. Dakota L. Rev. 55 (1980).
58. "Commitment Following an Insanity Acquittal" 94 Harv. L. Rev. 605 (1981).
59. "Constitutional Law - Mental Health Law - Right to Treatment - Youngberg v. Romeo" 29 N.Y. Law School L. Rev. 513 (1984).
60. "Constitutional Law - The Rights of Involuntarily Committed Mentally Retarded Persons under the Fourteenth Amendment - Youngberg v. Romeo" 31 Kansas L. Rev. 451 (1983).
61. Cook, Douglas H. "Tort Liability for Cult Deprogramming: Peterson v. Sorlien" 43 Ohio State L.J. 465 (1982).

62. Cort, Rebecca S. "Judicial Schizophrenia: An Involuntarily Confined Mental Patient's Right to Refuse Anti-psychotic Drugs" 51 U.M.K.C. L. Rev. 74 (1982).
63. Craige, B. "Case Comment on Rennie v. Klein: Constitutional Right of Privacy Protects a Mental Patient's Refusal of Psychotropic Medication" 57 No. Car. L. Rev. 1481 (1979).
64. Cramin, Corey S. "Emotional Distress Damages for Cancerphobia: A Case for the DES Daughter" 14 Pac. L.J. 1215 (1983).
65. "Cults, Deprogrammers, and the Necessity Defense" 80 Mich. L. Rev. 271 (1981).
66. Cynkar, R.J. "Buck v. Bell: 'Felt Necessities' v. Fundamental Values?" 81 Colum. L. Rev. 1418 (1981).
67. Daley, D.W. "Tarasoff and the Psychotherapists's Duty to Warn" 12 San Diego L. Rev. 932 (1975).
68. Davis, D.D. "Addressing the Consent Issue Involved in the Sterilization of Mentally Incompetent Females" 43 Albany L. Rev. 322 (1979).
69. Davis, J.A.P. "Defective Children - Who Should Decide?" 9 Fam. L. 203 (1979).
70. Delgado, Richard "Cults and Conversion: The Case for Informed Consent" 16 Ga. L. Rev. 533 (1982).
71. Delgado, Richard "Organically Induced Behavioral Change in Correctional Institutions: Release Decisions and the 'New Man' Phenomenon" 50 So. Calif. L. Rev. 215 (1977).
72. Delgado, Richard et al. "'Concurrence' in Quotes: A Critical Assessment of Chief Justice Burger's Objections to a Right to Treatment for the Involuntarily Confined Mentally Ill" 15 U.C. Davis L. Rev. 527 (1982).
73. Denkin, Julie F. "In re Grady - Voluntary Sterilization and the Retarded" 34 Rutgers L. Rev. 567 (1982).
74. Dickens, Bernard M. "Legal Protection of Psychiatric Confidentiality" 1 Int'l. J. L. & Psychiatry 255 (1978).
75. Dickens, Bernard M. "Political & Legal Considerations" in Edward M. Bennett & Barry Trute, eds., Mental Health Information Systems: Problems & Prospects (Toronto: Edwin Mellen, 1983), 99-120.
76. Dickens, Bernard M. "The Right to Natural Death" 26 McGill L.J. 847 (1981).

## 2.6

77. Dickey, W. "Incompetency and the Nondangerous Mentally Ill Client" 16 *Crim. L. Bull.* 22 (1980).
78. Dickson, M.L. et al. "Planning for Retarded and Disabled People in Ontario" 5 *Estates & Trusts Q.* 339 (1981).
79. Dimond, Bridgit "Filling in the Statutory Gaps with the Common Law: An Analysis of the Mental Health Act, 1983" 134 *New L.J.* 693 (August 17, 1984).
80. Dix, George E. "Major Current Issues Concerning Civil Commitment Criteria" 45 *Law & Contemp. Prob.* 137 (1982).
81. Draper, G. "Due Process and Confinement for Mental Disorder" 14 *Alberta L. Rev.* 266 (1976).
82. Dresser, Rebecca "Feeding the Hunger Artists: Legal Issues in Treating Anorexia Nervosa" [1984] *Wisc. L. Rev.* 297.
83. Dudzik, Chester J. "The Scope of the Involuntarily Committed Mental Patient's Right to Refuse Treatment with Psychotropic Drugs: An Analysis of the Least Restrictive Alternative Doctrine" 28 *Villanova L. Rev.* 101 (1982-83).
84. Dwares, Rachel Anne "Due Process Concerns with Delayed Psychiatric Evaluations and the Insanity Defense: Time Is of the Essence" 64 *Boston U. L. Rev.* 861 (1985).
85. Edwards, Susan S.M. "Pre-Menstrual Tension" 146 *Justice of the Peace* 476 (1982).
86. Eger, C.L. "Psychotherapists' Liability for Extrajudicial Breaches of Confidentiality" 18 *Ariz. L. Rev.* 1061 (1976).
87. Ellis, J.W. "Tort Responsibility of Mentally Disabled Persons" *Am. Bar Foundation Rsch. J.* 1079 (1981).
88. Ellis, Lee "Genetics and Criminal Behavior" 20 *Criminology* 43 (1982).
89. Ellis, T.S. III "Letting Defective Babies Die: Who Decides?" 7 *Am. J. L. & Medicine* 393 (1982).
90. Emerick, H.B. "Workers' Compensation for Mental Disabilities Resulting from Protracted Stress" 17 *Willamette L. Rev.* 693 (1981).
91. Engelhardt, H.T. & Malloy, Mitchell "Suicide and Assisting Suicide: A Critique of Legal Sanctions" 36 *Southwestern L.J.* 1003 (1982).
92. Ennis, Bruce J. "Emerging Legal Rights for the Mentally Handicapped" 2 *Am. Acad. Psychiatry & L. Bull.* 185 (1974).



## 2.7

93. Ennis, Bruce J. & Litwack, Thomas R. "Psychiatry and the Presumption of Expertise: Flipping Coins in the Courtroom" 62 Calif. L. Rev. 693 (1974).
94. Ericson, R.V. "Psychiatrists in Prison: On Admitting Professional Tinkers into a Tinkers' Paradise" 22 Chitty's L.J. 29 (1974).
95. Erlinder, C. Peter "Paying the Price for Vietnam: Post-Traumatic Stress Disorder and Criminal Behavior" 25 Boston Coll. L. Rev. 305 (1984).
96. Felch, E. "Access to Medical and Psychiatric Records: Proposed Legislation" 40 Albany L.Rev. 589 (1976).
97. Feldman, S.R. & Ward, T.M. "Psychotherapeutic Injury: Reshaping the Implied Contract and an Alternative to Malpractice" 58 No. Car. L. Rev. 63 (1979).
98. Fleming, J.G. & Maximov, B. "The Patient or His Victim: The Therapist's Dilemma" 62 Calif. L. Rev. 1025 (1974).
99. Fleming, Suzanne "Shrinks vs. Shysters: The (Latest) Battle for Control of the Mentally Ill" 6 Law & Human Behavior 355 (1982).
100. Foot, Norman "Food for Thought: Dresser on Anorexia" [1984] Wisc. L. Rev. 375.
101. Forer, Lois G. "The Prisoner and the Psychiatrist" 31 Emory L.J. 61 (1982).
102. Frey, Roger G. "The Guilty but Mentally Ill Verdict and Due Process" 92 Yale L.J. 475 (1983).
103. Friedman, P.R. "Developments in Mental Disability Law in 1980" 14 Clearinghouse Review 904 (1981).
104. Frohboese, R. & Sales, B.D. "Parental Opposition to Deinstitutionalization" 4 Law & Human Behavior 1 (1980).
105. Frolik, Lawrence A. "Discretionary Trusts for a Disabled Beneficiary: A Solution or a Trap for the Unwary?" 46 U. Pgh. L. Rev. 335 (1985).
106. Furrow, Barry R. "Public Psychiatry and the Right to Refuse Treatment: Toward an Effective Damage Remedy" 19 Harv. Civ. Rts. - Civ. Liberties L. Rev. 21 (1984).
107. Gallo, Linda V. "Youngberg v. Romeo: The Right to Treatment Dilemma and the Mentally Retarded" 47 Albany L. Rev. 179 (1982).
108. Garrity, J. "Case Note - Bartley v. Kremens (1975) - Prior to Voluntary Commitment by Parent or Guardian of Child under 18 to Mental

- Institution Child Entitled to Procedural Due Process - Rights Which Parents Cannot Waive" 21 Villanova L. Rev. 748 (1976).
109. Garvey, J.H. "Children and the Idea of Liberty: A Comment on the Civil Commitment Cases" 68 Kentucky L.J. 809 (1980).
  110. Gelman, Sheldon "Mental Hospital Drugging - Atomistic and Structural Remedies" 32 Cleve. St. L. Rev. 221 (1983-84).
  111. Gelman, Sheldon "Mental Hospital Drugs, Professionalism, and the Constitution" 72 Georgetown L.J. 1725 (1984).
  112. George, H.E. "Sterilization: Who Says No?" 29 Mercer L. Rev. 821 (1978).
  113. George, James E. et al. "The Therapist's Duty to Protect Third Parties: A Guide for the Perplexed" 14 Rutgers L.J. 637 (1983).
  114. George, Joseph C. "Psychotherapist-Patient Sex: A Proposal for a Mandatory Reporting Law" 16 Pac. L.J. 431 (1985).
  115. Gerber, R.J. "Is the Insanity Test Insane?" 20 Am. J. Jurisprudence 111 (1975).
  116. Gilbert, Robert D. "Professional Obligation and the Duty to Rescue: When Must a Psychiatrist Protect His Patient's Intended Victim?" 91 Yale L.J. 1430 (1982).
  117. Givelber, Daniel J. et al. "Tarasoff, Myth and Reality: An Empirical Study of Private Law in Action" [1984] Wisc. L. Rev. 443.
  118. Gobert, J.J. "Psychosurgery, Conditioning, and the Prisoner's Right to Refuse 'Rehabilitation'" 61 Va. L. Rev. 155 (1975).
  119. Gordon, Catherine "Temporary Detention of 'Voluntary' Patients by Hospital Authorities: Due Process Issues" 12 New Mexico L. Rev. 791 (1982).
  120. Gostin, Larry "Contemporary Social Historical Perspectives on Mental Health Reform" 10 J.L. & Soc. 47 (1983).
  121. Gostin, Larry "A Review of the Mental Health (Amendment) Act - I and II" 132 New L.J. 1127; 1151 (1982).
  122. Gould, C. & Stiles, T. "The Prevention of Mental Retardation: The Physician's Changing Standard of Care and the Need for Legislative Action" 13 Gonzaga L. Rev. 691 (1978).
  123. Gould, M. "Sex, Gender, and the Need for Legal Clarity: The Case for Transsexualism" 13 Valparaiso U.L. Rev. 423 (1979).

124. Gould, Rebecca M.J. "Procreation: A Choice for the Mentally Retarded" 23 Washburn L.J. 359 (1984).
125. Graham, J.J. "Transsexualism and the Capacity to Enter Marriage" 41 The Jurist 117 (1981).
126. Grant, G.M. "Donaldson, Dangerousness, and the Right to Treatment" 3 Hastings Const. L.Q. 599 (1976).
127. Green, B. & Paul, R. "Parenthood and the Mentally Retarded" 25 U. Toronto L.J. 117 (1974).
128. Green, B.K. "The Psychotherapist-Patient Privilege in Texas" 18 Houston L. Rev. 137 (1980).
129. Greenblatt, S.J. "The Ethics and Legality of Psychosurgery" 22 N.Y. Law School L. Rev. 961 (1977).
130. Griffith, E.J. & Griffith, E.E.H. "Duty to Third Parties, Dangerousness, and the Right to Refuse Treatment: Problematic Concepts for Psychiatrist and Lawyer" 14 Cal. Western L. Rev. 241 (1978).
131. Griffith, E.J. & Griffith, E.E.H. "The Patient's Right to Protection Against Self-Incrimination during the Psychiatric Examination" 13 U. Toledo L. Rev. 269 (1982).
132. Gunn, M.J. "Note: Mental Health (Amendment) Act 1982 (U.K.)" 56 Mod. L. Rev. 319 (1983).
133. Gutheil, Thomas G. & Mills, Mark "Legal Conceptualizations, Legal Fictions, and the Manipulation of Reality: Conflict Between Models of Decision Making in Psychiatry and Law" 10 Am. Acad. Psychiatry & L. Bull. 17 (1982).
134. Haag, J.S. & Sullinger, T.L. "Is He or Isn't She? Transsexualism: Legal Impediments to Integrating a Product of Medical Definition and Technology" 21 Washburn L.J. 342 (1982).
135. Hacker, Gayle "Medicating Committed Psychiatric Patients over their Objections: Balancing Patients' Interests and Quality of Mental Health Care" 14 Rutgers L.J. 685 (1983).
136. Halleck, S.L. "Legal and Ethical Aspects of Behavior Control" 131 Am. J. Psychiatry 381 (1974).
137. Hall Williams, J.E. "Legal Views of Psychiatric Evidence" 20 Medicine, Science & the Law 276 (1980)
138. Handford, P.R. "Intentional Infliction of Mental Distress: Analysis of the Growth of a Tort" 8 Anglo-American L. Rev. 1 (1979).



139. Harding, T.W. & Curran, W.J. "Mental Health Legislation and its Relationship to Program Development: An International Review" 16 Harv. J. Legislation 19 (1979).
140. Hare, Robert & McPherson, Leslie M. "Violent & Aggressive Behavior by Criminal Psychopaths" 7 Int'l. J.L. & Psychiatry 35 (1984).
141. Hayes, R.A. "Marriage of Male and Surgically Reassigned Transsexual Held Valid - M.T. v. J.T." 12 Tulsa L.J. 418 (1976).
142. Hayes, Robert & Hayes, Susan "Permanent Disability and Common Law Rights to Compensation" 56 Australian L.J. 643 (1982).
143. Heimberg, Steven A. "Status of the Emergency Room Psychotherapist: Privacy Rites" 30 U.C.L.A. L. Rev. 1316 (1983).
144. Heldman, V.C. "Behavior Modification and Other Legal Imbroglis of Human Experimentation" 52 J. Urban L. 155 (1974).
145. Henderson, A.G. "Mental Incapacity and the Admissibility of Statements" 23 Crim. L.Q. 62 (1980).
146. Hepworth, David "The Influence of the Concept of 'Danger' on the Assessment of 'Danger to Self and Others'" 22 Medicine, Science & the Law 245 (1982).
147. Herbsleb, J. "Institutionalization of Juveniles: What Process is Due? Parham v. J.R." 59 Nebraska L. Rev. 190 (1980).
148. Herr, S.S. "Legal Advocacy for the Mentally Handicapped" 3 Int'l. J. L. & Psychiatry 61 (1980).
149. Herr, S.S. "Rights into Action: Protecting Human Rights of the Mentally Handicapped" 26 Catholic U. L. Rev. 203 (1977).
150. Ho, B. "The Psychiatrist and the Accused: Some Evidentiary Problems" 38 U. T. Fac. L. Rev. 197 (1980).
151. Hodgeman, R.B. "Due Process and Voluntary Commitment by Parents of Juveniles to Mental Health Facilities" 49 Cincinnati L. Rev. 259 (1980).
152. Hoffman, P.M. "The 'Due Process' Rights of Minors in Mental Hospitals" 13 U.S.F. L. Rev. 63 (1978).
153. Holladay, J.N. "Due Process Limitations on Parental Rights to Commit Children to Mental Institutions: Bartley v. Kremens" 48 U. Colorado L. Rev. 235 (1977).
154. Horney, J. "Menstrual Cycles and Criminal Responsibility" 2 Law & Human Behaviour 25 (1978).



155. Horowitz, Steven "The Doctrine of Informed Consent Applied to Psychotherapy" 72 Georgetown L.J. 1637 (1984).
156. "Hospital Psychiatry: Duty to Warn Third Parties of Impending Release" 27 ATLA L. Rep. 425 (1984).
157. Jacob, J. "The Right of the Mental Patient to his Psychosis" 39 Modern L. Rev. 17 (1976).
158. James, E.L. & Allen, R. "Legal Issues and Behaviour Modification: A Canadian Perspective" 20 Can. Psychol. Rev. 175 (1979).
159. Jones, K. "The Limitations of the Legal Approach to Mental Health" 3 Int'l. J. L. & Psychiatry 1 (1980).
160. Joseph, B.C. "Postadmission Due Process for Mentally Retarded Children after Parham v. J.R. and Secretary of Public Welfare v. Institutionalized Juveniles" 29 Catholic U. L. Rev. 129 (1979).
161. Joseph, Lawrence "Causation in Workers' Compensation Mental Disability Cases: The Michigan Experience" 27 Wayne L. Rev. 1079 (1981).
162. Joseph, Lawrence "The Causation Issue in Workers' Compensation Mental Disability Cases: An Analysis, Solutions and a Perspective" 36 Vanderbilt L. Rev. 263 (1983).
163. Jost, D.T. "The Illinois Guardianship for Disabled Adults Legislation of 1978 and 1979: Protecting the Disabled from their Zealous Protectors" 56 Chicago-Kent L. Rev. 1087 (1980).
164. Jost, D.T. "The Problem of Consent for Placement, Care and Treatment of the Incompetent Nursing Home Resident" 26 St. Louis U. L.J. 63 (1981).
165. Juge, Denis P. & Shraberg, David "Marking Out Boundaries: The Relationship Between Work and Psychological Disorders, A Legal and Medical Analysis" 30 Loyola L. Rev. 249 (1984).
166. Kahn, Shari Lynne "The Right to Adequate Treatment Versus the Right to Refuse Antipsychotic Drug Treatment: A Solution to the Dilemma of the Involuntarily Committed Psychiatric Patient" 33 Emory L.J. 441 (1984).
167. Kalcheim, N.J. "Protecting the Aged Person - The Commitment Procedure" 10 Fam. L.Q. 161 (1976).
168. Katzman, S. "Parental Rights of the Mentally Retarded: The Advisability and Constitutionality of the Treatment of Retarded Parents in New York State" 16 Colum. J. L. & Social Problems 521 (1981).

169. Kaufman, Allan M. "Group Homes for the Mentally Retarded: Do These Homes Qualify as Permitted Uses in Residential Areas Zoned for the Single Family?" 12 Manitoba L.J. 43 (1982).
170. Kaufman, C.L. et al. "Informed Consent and Patient Decisionmaking: The Reasoning of Law and Psychiatry" 4 Int'l. J. L. & Psychiatry 345 (1981).
171. Kelleher, Maryellen "Psychotherapists and the Duty to Warn: An Attempt at Clarification" 19 New Eng. L. Rev. 597 (1984).
172. Kirby, G.F. "Vitek v. Jones: A Case for Prisoners' Mental Health Rights - Breakthrough and Compromise" 30 Am. U. L. Rev. 765 (1981).
173. Klein, Joel I. & Glover, Stephen I. "Psychiatric Malpractice" 6 Int'l. J. L. & Psychiatry 131 (1983).
174. Kluge, E.-H.W. "The Euthanasia of Radically Defective Neonates: Some Statutory Considerations" 6 Dalhousie L.J. 229 (1980).
175. Knezevich, Caroline A. "Decisionmaking for the Incompetent Terminally Ill Patient: A Compromise in a Solution Eliminates a Compromise of Patients' Rights" 27 Indiana L.J. 325 (1982).
176. Knuth, M.O. "Civil Liability for Causing or Failing to Prevent Suicide" 12 Loyola of L.A. L. Rev. 967 (1979).
177. Kopesky, J.P. "Psychosurgery and the Involuntarily Confined" 24 Villanova L. Rev. 949 (1979).
178. Koskoff, Y.D. "The Nature of Pain and Suffering" 13 Trial 21 (1977); 1 Advocates Q. 132 (1977).
179. Kouri, R.P. & Somerville, M.A. "Comments on the Sterilization of Mental Incompetents in Canadian Civil and Common Law" 10 U. de Sherbrooke Revue de Droit 599 (1980).
180. Kyle, La Bella "From Tarasoff to Bradley: Courts Struggle to Apply the Duty to Control Mental Patients" 14 Cumberland L. Rev. 165 (1984).
181. Lachance, D. "In Re Grady: The Mentally Retarded Individual's Right to Choose Sterilization" 6 Am. J. L. & Medicine 559 (1981).
182. Lamberson, S.M. "Sterilization of Mental Incompetents: In Re Hayes" 16 Gonzaga L. Rev. 465 (1981).
183. Landau, B. "Barriers to Consent to Treatment: The Rights of Minors in the Provision of Mental Health Services" 2 Can. J. Fam. L. 245 (1979).
184. Lange, D. "Geriatric, Psychiatric, and Legal Aspects of the Mental State of the Aged" 2 Fam. L. Rev. 266 (1979).

185. Lasky, H. "Psychiatry and California Workers' Compensation Laws: A Threat and a Challenge" 17 Cal. Western L. Rev. 1 (1980).
186. Laws, D.R. "The Assessment of Dangerous Sexual Behavior in Males" 3 Medicine & Law 127 (1984).
187. Lecklitner, Gregory L. & Greenberg, Paul D. "Promoting the Rights of the Chronically Mentally Ill in the Community: A Report on the Patient Rights Policy Research Report" 7 M.D.L.R. 422 (1983).
188. Leibson, D.J. "Recovery of Damages for Emotional Distress Caused by Physical Injury to Another" 15 J. Fam. L. 163 (1976-77).
189. Levick, M. & Wapner, A. "Advances in Mental Health: A Case for the Right to Refuse Treatment" 48 Temple L.Q. 354 (1975).
190. Lewis, Dan A. et al. "The Negotiation of Involuntary Civil Commitment" 18 L. & Soc. Rev. 629 (1984).
191. Lielbriedis, P. "Psychiatric Liability in Patient-Suicide" 3 Medicine & Law 225 (1984).
192. Linn, B.J. & Bowers, L.A. "The Historical Fallacies Behind Legal Prohibitions of Marriages Involving Mentally Retarded Persons - The Eternal Child Grows Up" 13 Gonzaga L. Rev. 625 (1978).
193. Litman, Jessica "A Common Law Remedy for Forcible Medication of the Institutionalized Mentally Ill" 82 Colum. L. Rev. 1720 (1982).
194. Lowe, R.H. "Casenote on Tarasoff v. Regents of the University of California" [1975] Utah L. Rev. 553.
195. Lowenthal, John S. "Mental Health: The Minor's Right to Due Process" 8 J. Juvenile L. 117 (1984).
196. Lowry, D.R. & Kennedy, R.M. "Clinical Law in the Area of Mental Health" [1979] Wisc. L. Rev. 373.
197. Mabutt, F.R. "Juveniles, Mental Hospital Commitment and Civil Rights: The Case of Parham v. J.R." 19 J. Fam. L. 27 (1980).
198. McComiskey, A.J. "Managing the Estates of Mentally Incompetent Individuals" 4 Health Law in Canada 6 (1983).
199. McCormick, W.O. "Involuntary Commitment in Ontario: Some Barriers to the Provision of Proper Care" 124 C.M.A. J. 715 (1981).
200. McCroskey, Mary Elizabeth "Law and Medicine - Individual Rights - The Incompetent's Right to Refuse Life-Sustaining Treatment: In re Colyer" 51 Tenn. L. Rev. 145 (1983).



201. McIvor, C.L. "Equitable Jurisdiction to Order Sterilizations" 57 Wash. L. Rev. 373 (1982).
202. McKeith, Malissa D. "Children's Inpatient Mental Health Treatment: Extending Due Process to All Commitment Procedures" 17 U.S.F. L. Rev. 797 (1983).
203. Macklin, Ruth "Some Problems in Gaining Informed Consent from Psychiatric Patients" 31 Emory L.J. 345 (1982).
204. MacMillan, E.S. "Birth-Defective Infants: A Standard for Nontreatment Decision" 30 Stanford L. Rev. 599 (1978).
205. McWhirter, K.G. & Weijer, J. "The Alberta Sterilization Act: A Genetic Critique" 19 U. Toronto L.J. 424 (1969).
206. Magnet, J.E. "Withholding Treatment from Defective Newborns: Legal Aspects" 42 Revue du Barreau 187 (1982).
207. Malcolm, J.J. "Casenote on Tarasoff v. Regents of University of California" 6 Seton Hall L. Rev. 536 (1975).
208. Manning, M. & Mewett, A.W. "Psychiatric Evidence" 18 Crim. L.Q. 325 (1976).
209. Marcus, A.M. "The Forensic Psychiatrist - A Contemporary View" 22 Can. J. Criminology & Corrections 337 (1980).
210. Marcus, David P. "Governmental Immunity and the Release of Dangerous Inmates from State Institutions: Can the State Get Away with Murder?" 33 Buff. L. Rev. 491 (1984).
211. Margulies, Peter "The 'Pandemonium Between the Mad and the Bad': Procedures for Commitment and Release of Insanity Acquittees after Jones v. United States" 36 Rutgers L. Rev. 793 (1984).
212. Mecredy-Williams, B. "Marriage Law and the Mentally Retarded" 2 Can. J. Fam. L. 63 (1979).
213. "The Mental Hospitalization of Children and the Limits of Parental Authority" 88 Yale L.J. 186 (1978).
214. Menzies, Robert J. et al. "The Fitness Interview Test: A Semi-Structured Instrument for Assessing Competence to Stand Trial, with a Proposal for Its Implementation" 3 Medicine & Law 151 (1984).
215. Merton, Vanessa "Confidentiality and the 'Dangerous' Patient: Implications of Tarasoff for Psychiatrists and Lawyers" 31 Emory L.J. 263 (1982).
216. Mickenberg, I. "Competence to Stand Trial and the Mentally Retarded

Defendant: The Need for a Multi-Disciplinary Solution to a Multi-Disciplinary Problem" 17 Cal. Western L. Rev. 365 (1981).

217. Mills, Mark J. "The Rights of Involuntary Patients to Refuse Pharmacotherapy: What is Reasonable?" 8 Am. Acad. Psychiatry & L. Bull. 313 (1981).
218. Mills, Mark J. et al. "Informed Consent: Psychotic Patients and Research" 8 Am. Acad. Psychiatry & L. Bull. 119 (1980).
219. Mills, Mark J. et al. "Legal Issues in Mental Health Administration" 6 Int'l. J. L. & Psychiatry 39 (1983).
220. Mitchell, A.M. "The Objects of Our Wisdom and Our Coercion: Involuntary Guardianship of Incompetents" 52 So. Calif. L. Rev. 1405 (1979).
221. Moore, E. "Legislative Control of Shock Treatment" 9 U. S.F. L. Rev. 738 (1975).
222. Morris, Norval "The Criminal Responsibility of the Mentally Ill" 33 Syracuse L. Rev. 477 (1982).
223. Moss, S.A. "Casenote on In re Sterilization of Moore" 30 Southwestern L.J. 775 (1976).
224. Moya, C.B. & Achtenberg, R. "Behavior Modification: Legal Limitations on Methods and Goals" 50 Notre Dame Lawyer 230 (1974).
225. Mueller, D.M. "Involuntary Passive Euthanasia of Brain-stem-damaged Patients: The Need for Legislation - An Analysis and a Proposal" 14 San Diego L. Rev. 1277 (1977).
226. Mundt, Daniel H. Jr. "Is an Insanity Acquittal an Adequate Basis for Indefinite, Involuntary Commitment: Jones v. United States" 17 Creighton L. Rev. 947 (1984).
227. Munetz, Mark R. et al. "Tardive Dyskinesia and Informed Consent: Myths and Realities" 10 Am. Acad. Psychiatry & L. Bull. 77 (1982).
228. Munro, A.B. "The Sterilization Rights of Mental Retardates" 39 Washington & Lee L. Rev. 207 (1982).
229. Murphy, J.G. "Therapy and the Problem of Autonomous Consent" 2 Int'l. J. L. & Psychiatry 415 (1979).
230. Murphy, Thomas J. "Affirmative Duties in Tort Following Tarasoff" 58 St. John's L. Rev. 492 (1984).
231. Mussoff, J. "Determining the Compensability of Mental Disabilities Under Workers' Compensation" 55 So. Calif. L. Rev. 193 (1981).

232. Myers, John E.B. "Involuntary Civil Commitment of the Mentally Ill: A System in Need of Change" 29 Villanova L. Rev. 367 (1983-84).
233. Myers, R.G. "Transsexualism and the Law" 7 Am. Acad. Psychiatry & L. Bull. 306 (1980).
234. Neely, David H. "Handicapped Advocacy: Inherent Barriers and Partial Solutions in the Representation of Disabled Children" 33 Hastings L.J. 1359 (1982).
235. Nelligan, James G. "Medication and Adjudication: Extending In re Richard Roe III to Institutionalized Psychiatric Patients" 17 New Eng. L. Rev. 1029 (1982).
236. Nelson, C. et al. "Medicolegal Aspects of Transsexualism" 21 Can. Psychiatric Ass'n. J. 557 (1976).
237. Nolan, Bobbe S. "Functional Evaluation of the Elderly in Guardianship Proceedings" 12 Law, Medicine & Health Care 210 (1984).
238. Nold, Jane M. "Hidden Handicaps: Protection of Alcoholics, Drug Addicts, and the Mentally Ill Against Employment Discrimination under the Rehabilitation Act of 1973 and the Wisconsin Fair Employment Act" [1983] Wisc. L. Rev. 725.
239. O'Boyle, Robert M. "Voluntary Minor Mental Patients: A Realistic Balancing of the Competing Interests of Parent, Child and State" 37 Southwestern L.J. 1179 (1984).
240. Olivieri, L.M. "Minors' Right to Due Process: Does it Extend to Commitment to Mental Institutions?" 52 Notre Dame Lawyer 136 (1976).
241. Ottobre, J.R. "Incompetents - Sterilization - Court of Equity Has Inherent Power to Exercise Mentally Retarded Individual's Right to Sterilization - In re Grady" 12 Seton Hall L. Rev. 96 (1981).
242. Palmer, Richard C. "Disposition of the Mentally Ill Offender in Illinois - 'Guilty but Mentally Ill'" 31 DePaul L. Rev. 869 (1982).
243. Parker, Philip J. "Surrogate Motherhood, Psychiatric Screening and Informed Consent, Baby Selling and Public Policy" 12 Am. Acad. Psychiatry & L. Bull. 21 (1984).
244. Parlour, R.R. & Jones, L.R. "The Role of the Defense Psychiatrist in Workmen's Compensation Cases" 26 J. Forensic Sci. 535 (1981).
245. Pasewark, Richard A. et al. "Criminal Recidivism Among Insane Acquittees" 5 Int'l J. L. & Psychiatry 365 (1982).
246. Peck, C.T. "Compensation for Pain: A Reappraisal in the Light of New Medical Evidence" 72 Mich. L. Rev. 1355 (1974).



247. Peck, C.T. et al. "The Effect of the Pendency of Claims for Compensation upon Behavior Indicative of Pain" 53 Wash. L. Rev. 251 (1978).
248. Perlin, M.L. "Legal Implications of Behavior Modification Programs" 4 Am. Acad. Psychiatry & L. Bull. 175 (1976).
249. Perlin, M.L. "The Legal Status of the Psychologist in the Courtroom" 4 M.D.L.R. 194 (1980).
250. Perlin, M.L. "Rights of the Mentally Handicapped" 4 Am. Acad. Psychiatry & L. Bull. 77 (1976).
251. Perr, I.N. "Liability and Electroshock Therapy" 25 J. Forensic Sci. 508 (1980).
252. Pichini, R.D. "The Right to Counsel During Court-Ordered Psychiatric Examinations of Criminal Defendants" 26 Villanova L. Rev. 135 (1980).
253. Plamondon, A.L. "Psychosurgery: The Rights of Patients" 23 Loyola L. Rev. 1007 (1977).
254. Platt, Mark "The Due Process of Community Treatment of the Mentally Ill: A Case Study" 59 Texas L. Rev. 1481 (1981).
255. Plotkin, R. "Limiting the Therapeutic Orgy: Mental Patients' Right to Refuse Treatment" 72 Northwestern U. L. Rev. 461 (1977).
256. Popp, Karen Ann "Mazza v. Huffaker: Sex with the Patient's Spouse is Negligent Psychiatric Treatment" 62 No. Car. L. Rev. 1437 (1984).
257. Press, Marc "Premenstrual Stress Syndrome as a Defense in Criminal Cases" [1983] Duke L.J. 176.
258. Prins, Herschel "The Care of the Psychiatric Prisoner - Discharge into the Community and its Implications" 23 Medicine Science & the Law 79 (1983).
259. "Protecting the Confidentiality of Pretrial Psychiatric Disclosures: A Survey of Standards" 51 N.Y.U. L. Rev. 409 (1976).
260. Puryear, Leigh L. "Youngberg v. Romeo: Moving Toward a Constitutional Right to Habilitation for the Mentally Retarded" 62 No. Car. L. Rev. 162 (1983).
261. Quint, Judy R. "The Right to Treatment in the Least Restrictive Alternative: The Confusion Remains after Youngberg v. Romeo" 19 New Eng. L. Rev. 175 (1983).
262. Rappoport, J.S. "Enforced Treatment - Is It Treatment?" 2 Am. Acad. Psychiatry & L. Bull. 148 (1974).



263. Ratcliffe, Anita F. "In re Boyer: Guardianship of Incapacitated Adults in Utah" [1982] Utah L. Rev. 427.
264. "Regulation of Electroconvulsive Therapy" 75 Mich. L. Rev. 363 (1976).
265. Rhoden, Nancy K. "The Right to Refuse Psychotropic Drugs" 15 Harv. Civ. Rights - Civ. Liberties L. Rev. 363 (1980).
266. Riskin, L.L. "Sexual Relations Between Psychotherapists and Their Patients: Toward Research or Restraint" 67 Calif. L. Rev. 1000 (1979).
267. Robertson, J.A. "Involuntary Euthanasia of Defective Newborns: A Legal Analysis" 27 Stanford L. Rev. 213 (1975).
268. Robertson, J.A. "Organ Donation by Incompetents and the Substituted Judgment Doctrine" 76 Colum. L. Rev. 48 (1976).
269. Rosenhan, D.L. "On Being Sane in Insane Places" 179 Science 250 (1973).
270. Rosenzweig, G. "High-Demand Sects: Disclosure Legislation and the Free Exercise Clause" 15 New Eng. L. Rev. 128 (1979).
271. Scherling, John B. "Automatic and Indefinite Commitment of Insanity Acquittees: A Procedural Straitjacket" 37 Vanderbilt L. Rev. 1233 (1984).
272. Schiffer, Marc E. "Psychiatric Treatment for Mentally Disordered Offenders: The Canadian Cuckoo's Nest" 41 Sask. L. Rev. 269 (1977).
273. Schnurr, Brian A. "Appointment of a Committee in Ontario" (re competence of psychiatric patient to manage his/her own estate) 6 Estates & Trusts Q. 26 (1982).
274. Schoenfeld, C.G. "Recent Developments in the Law Concerning the Mentally Ill - 'A Corner-Stone of Legal Structure Laid in Mud'" 9 U. Toledo L. Rev. 1 (1977).
275. Schwartz, B.M. "In the Name of Treatment: Autonomy, Civil Commitment, and Right to Refuse Treatment" 50 Notre Dame Lawyer 808 (1975).
276. Secrest, L.F. "Case Comment on Parham v. J.R.: Juveniles Committed to State Mental Hospitals Upon Application of Parents or Guardians" 29 Emory L.J. 517 (1980).
277. Semler, J.D. "A Child's Emotional Health - The Need for Legal Protection" 15 Tulsa L.J. 299 (1979).
278. Sepajak, Diana et al. "Clinical Predictions of Dangerousness: Two-Year Follow-Up of 408 Pre-Trial Forensic Cases" 11 Am. Acad. Psychiatry & L. Bull. 171 (1983).

*Caustic*

279. Shah, S.A. "Legal and Mental Health System Interactions: Major Developments and Research Needs" 4 Int'l J. L. & Psychiatry 219 (1981).
280. Shaman, J.M. "Persons Who Are Mentally Retarded: Their Right to Marry and Have Children" 12 Fam. L.Q. 61 (1978).
281. Shannon, J.A. Jr. "Expungement of Mental Health Records in the Civil Commitment Context: A Remedy in Search of a Right" 19 Ariz. L. Rev. 377 (1977).
282. Shaw, R.H. "Legislative Naivete in Involuntary Sterilization Laws" 12 Wake Forest L. Rev. 1064 (1976).
283. Sherlock, R.K. & Sherlock, R.D. "Sterilizing the Retarded: Constitutional, Statutory and Policy Alternatives" 60 No. Car. L. Rev. 943 (1982).
284. Shobat, Steven "Pathway Through the Psychotropic Jungle: The Right to Refuse Psychotropic Drugs in Illinois" 18 John Marshall L. Rev. 407 (1985).
285. Shoenberger, Allen E. "'Voluntary' Commitment of Mentally Ill or Retarded Children: Child Abuse by the Supreme Court" 7 U. Dayton L. Rev. 1 (1981).
286. Shuman, D.W. & Hawkins, R. "The Use of Alternatives to Institutionalization of the Mentally Ill" 33 Southwestern L.J. 1181 (1980).
287. Shuman, D.W. & Weiner, M.S. "The Privilege Study: An Empirical Examination of the Psychotherapist-Patient Privilege" 60 No. Car. L. Rev. 893 (1982).
288. Siegel, T.I. "Deprogramming Religious Cultists" 11 Loyola of L.A. L. Rev. 807 (1978).
289. Sieradzki, B. "Constitutional Law - Voluntary Commitment of Minors - Civil Commitment Procedures - J.L. & J.R. v. Parham" 23 N.Y. Law School L. Rev. 339 (1977).
290. Silverman, Daniel "Constitutional Law - Parents' Rights - Continued Institutionalization: The Child's Rights, the Parents' Dilemma - Halderman v. Pennhurst State School & Hospital, 707 F. 2d 702 (3d Cir. 1983)" 57 Temple L.Q. 135 (1984).
291. Silverstein, E.M. "Civil Commitment of Minors: Due and Undue Process" 58 No. Car. L. Rev. 1133 (1980).
292. Simet, Donald P. "Power, Uncertainty, and Choice: The Voluntary Commitment of Children - Parham v. J.L." 20 U.W.O. L. Rev. 141 (1982).
293. Simons, A.J. "Psychic Injury and the Bystander: The Transcontinental

Dispute Between California and New York" 51 St. John's L. Rev. 1 (1976).

294. Simpson, David T. Jr. "Involuntary Civil Commitment: The Dangerousness Standard and Its Problems" 63 No. Car. L. Rev. 241 (1985).
295. Singer, R. "Consent of the Unfree: Medical Experimentation and Behaviour Modification in the Closed Institution, Part I and Part II" 1 Law & Human Behavior 1 and 101 (1977).
296. Slovenko, R. "Accountability and Abuse of Confidentiality in the Practice of Psychiatry" 2 Int'l. J. L. & Psychiatry 431 (1979).
297. Slovenko, R. "Psychotherapy and Confidentiality" 24 Cleve. St. L. Rev. 375 (1975).
298. Smith, Gaylord "The Rights of Involuntarily Committed Mentally Retarded Persons under the Fourteenth Amendment - Youngberg v. Romeo" 31 Kansas L. Rev. 451 (1983).
299. Sneiderman, B. "The Stephen Dawson Case: Whose Decision Is It Anyway?" 14 Manitoba L. J. 165 (1984).
300. Snow, J.S. "Voluntary Admission of Minors to Mental Hospitals in Texas: A Proposal" 13 St. Mary's L.J. 621 (1982).
301. Sokkappa, P.M. "Sterilization Petitions: Developing Judicial Guidelines" 44 Mont. L. Rev. 127 (1983).
302. Somerville, Margaret A. "Birth Technology, Parenting and 'Deviance'" 5 Int'l. J. L. & Psychiatry 123 (1982).
303. Sparr, L.F. & Roth L.H. "Family Opposition to Psychiatric Treatment: A Medicolegal Dilemma" 11 Am. Acad. Psychiatry & L. Bull. 51 (1983).
304. Spece, R.G. "Conditioning and Other Technologies Used to 'Treat'? 'Rehabilitate'? 'Demolish'? Prisoners and Mental Patients" 45 So. Calif. L. Rev. 616 (1972).
305. Speiser, S.M. & Malawer S.S. "An American Tragedy: Damages for Mental Anguish of Bereaved Relatives in Wrongful Death Actions" 51 Tulane L. Rev. 1 (1976).
306. Spendlove, G. "Legal Issues in the Use of Guardianship Procedures to Remove Members of Cults" 18 Ariz. L. Rev. 1095 (1976).
307. Splane, Stephanie I. "Tort Liability for the Mentally Ill in Negligence Actions" 93 Yale L.J. 153 (1983).
308. Spoonhour, J.M. "Psychosurgery and Informed Consent" 27 U. Fla. L. Rev. 432 (1974).



309. Stage, G.L. "Relief for the Civilly Committed: A Constitutional Right to Treatment" 63 Kentucky L.J. 469 (1975).
310. Stanchik, Dennis "A Ship of Fools: Contemporary Legal Attitudes Toward the Mentally Disordered Criminal Defendant" 52 U.M.K.C. L. Rev. 443 (1984).
311. Stanridge, L.W. "Psychosurgery" 3 Leg. Med. Q. 24 (1979).
312. Starkman, B. "Sterilization of the Mentally Retarded Adult: The Eve Case" 26 McGill L.J. 931 (1981).
313. Steadman, Henry J. et al. "The Impact of State Mental Hospital Deinstitutionalization on United States Prison Populations, 1968-1978" 75 J. Crim. L. & Criminology 474 (1984).
314. Stephenson, S.A. "Sterilization Abuse: A Proposed Regulatory Scheme" 28 DePaul L. Rev. 731 (1979).
315. Stetter, R. "Kidney Donation from Minors and Incompetents" 35 La. L. Rev. 551 (1975).
316. Stone, Alan A. "The Ethical Boundaries of Forensic Psychiatry: A View from the Ivory Tower" 12 Am. Acad. Psychiatry & L. Bull. 209 (1984).
317. Stone, Alan "Psychiatric Abuse and Legal Reform: Two Ways to Make a Bad Situation Worse" 5 Int'l. J. L. & Psychiatry 9 (1982).
318. Stone, Julius "Madness and Guilt: Appalling the Free" 17 Aust. & N.Z. J. of Criminology 239 (1984).
319. Stromberg, Clifford & Stone, Alan "A Model State Law on Civil Commitment of the Mentally Ill" 20 Harv. J. Legislation 275 (1983).
320. Strong, Carson "Defective Infants and Their Impact on Families: Ethical and Legal Considerations" 11 Law, Medicine & Health Care 163 (1983).
321. Stroube, M.K. "The Psychotherapist-Patient Privilege: Are Some Patients More Privileged than Others?" 10 Pac. L.J. 801 (1979).
322. "Substantive Due Process Limits on the Duration of Civil Commitment for the Treatment of Mental Illness" 16 Harv. Civ. Rights - Civ. Liberties L. Rev. 205 (1981).
323. Sullivan, T.M. "The Involuntarily Confined Mental Patient and Informed Consent to Psychiatric Treatment" 5 Loyola U. L.J. 578 (1974).
324. Symonds, E. "Mental Patients' Rights to Refuse Drugs: Involuntary Medication as Cruel and Unusual Punishment" 7 Hastings Const. L.Q. 701 (1980).

325. Symposium - Institutionalization (Mental Health), 14 San Diego L. Rev. 979-1204 (1977).
326. Symposium - Law and Psychiatry, 66 Va. L. Rev. 427-726 (1980).
327. Symposium - Mental Incompetents and the Right to Die (Quinlan and Saikewicz cases) 11 Suffolk U. L. Rev. 919-973 (1977).
328. Symposium - Mentally Retarded People and the Law, 31 Stanford L. Rev. 541-829 (1979).
329. Symposium on Behavior Modification, 17 Ariz. L. Rev. 1-143 (1975).
330. Symposium on Behavior Modification in Prisons, 13 Am. Crim. L. Rev. 1-113 (1975).
331. Symposium on Mental Disability and the Law, 62 Calif. L. Rev. 671-1068 (1974).
332. Symposium on Mental Health and the Law, 23 Catholic U. L. Rev. 643-814 (1974).
333. Symposium on Mental Health and the Law, 123 U. Pa. L. Rev. 243-508 (1974).
334. Symposium on Psychosurgery, 54 Boston U. L. Rev. 215-353 (1974).
335. Taub, Sheila "Psychiatric Malpractice in the 1980s: A Look at Some Areas of Concern" 11 Law, Medicine & Health Care 97 (1983).
336. Taylor, Lawrence & Dalton, K. "Premenstrual Syndrome: A New Criminal Defense?" 19 Cal. Western L. Rev. 269 (1983).
337. Tecimer, D. "Cramer v. Tyars: An Anomaly in California Civil Commitment Case Law" 14 Loyola of L.A. L. Rev. 165 (1980).
338. Teff, Harvey "Liability for Negligently Inflicted Nervous Shock" 99 L.Q. Rev. 100 (1983).
339. "The Tragic Choice: Termination of Care for Patients in a Permanent Vegetative State" 51 N.Y.U. L. Rev. 285 (1976).
340. Trebilcock, Michael J. & Shaul, Jeffrey "Regulating the Quality of Psychotherapeutic Services" in Donald N. Dewees, ed., The Regulation of Quality (Toronto: Butterworths, 1983) 275.
341. Twerski, Shlomo "Affirmative Duty after Tarasoff" 11 Hofstra L. Rev. 1013 (1983).
342. Uelmen, G.F. "The Psychiatrist, the Sociopath and the Courts: New Lines for an Old Battle" 14 Loyola of L.A. L. Rev. 1 (1980).

343. Valentine, G.H. "Casenote on Tarasoff v. Regents of the University of California 37 U. Pgh. L. Rev. 155 (1975).
344. "'Voluntary' Admission of Children to Mental Hospitals: A Conflict of Interest Between Parent and Child" 36 Md. L. Rev. 153 (1976).
345. Watson, A.S. "Children, Families and Courts: Before the Best Interests of the Child and Parham v. J.R." 66 Va. L. Rev. 653 (1980).
346. Weathered, F. "Casenote on In Re Sterilization of Moore" 3 Texas Tech. L. Rev. 436 (1976).
347. Webster, C.D. "On the Inevitability of Losing a Dangerous Offender Hearing under Part XXI of the Criminal Code of Canada: A Slightly Eccentric and Somewhat Ascerbic [sic] View" 6 Crim. Lawyers' Ass'n. Newsletter (No. 5) 6 (1985).
348. Weidert, Diane M. "Constitutional Rights of the Involuntarily Committed Mentally Retarded after Youngberg v. Romeo" 14 St. Mary's L.J. 1113 (1983).
349. Weinstock, Robert et al. "Competence to Give Informed Consent for Medical Procedures" 12 Am. Acad. Psychiatry & L. Bull. 117 (1984).
350. Wellsch, Todd "The Right of the Civilly Committed-Mental Patient to Refuse Treatment" 48 Sask. L. Rev. 269 (1983?).
351. "Wentzel v. Montgomery General Hospital - Maryland's Equitable Jurisdiction over Sterilization Petitions: A Constitutional Analysis" 42 Md. L. Rev. 549 (1983).
352. Wexler, David B. "The Structure of Civil Commitment: Patterns, Pressures and Interactions in Mental Health Legislation" 7 Law & Human Behavior 1 (1983).
353. Wexler, David B. "Patients, Therapists, and Third Parties: The Victimological Virtues of Tarasoff" 2 Int'l. J. L. & Psychiatry 1 (1979).
354. Whitman, M.A. "Behavior Modification: Introduction and Implications" 24 De Paul L. Rev. 949 (1975).
355. Wikler, D. "Paternalism and the Mildly Retarded" 8 Philosophy & Pub. Aff. 377 (1979).
356. Wilcox, D.E. "Misrepresentation in the Forensic Psychiatric Examination: Attempts to Manipulate the Legal System" 4 Am. J. Forensic Psychiatry 119 (1983?).
357. Winschel, Eric "The First Amendment Right to Freedom of Thought as Applied to Involuntarily Committed Mental Patients' Right to Refuse Drugs" 26 St. Louis U. L.J. 973 (1982).



358. Wise, Toni P. "Where the Public Peril Begins: A Survey of Psychotherapists to Determine the Effects of Tarasoff" 31 Stanford L. Rev. 165 (1978).
359. Wolfe, Sherrie A. "The Scope of a Psychiatrist's Duty to Third Persons: The Protective Privilege Ends Where the Public Peril Begins" 59 Notre Dame L. Rev. 770 (1984).
360. Wright, Mary D. "Narrowing the Attorney-Client Privilege: A Crippling Blow to the Insanity Defense" 51 U.M.K.C. L. Rev. 386 (1983).
361. "The Wyatt Case: Implementation of a Judicial Decree Ordering Institutional Change" 84 Yale L.J. 1338 (1975).
362. Yazel, J. Joe "Evaluating Mental Injury and Impairment: The Major Theoretical Frameworks in Psychiatry" 32 Defense L.J. 671 (1983).
363. Zenoff, Elyce H. & Zients, Alan B. "If Civil Commitment Is the Answer for Children, What are the Questions?" 51 Geo. Wash. L. Rev. 171 (1983).
364. Zlotnick, D. "First Do No Harm: Least Restrictive Alternatives Analysis and the Right of Mental Patients to Refuse Treatment" 83 W. Va. L. Rev. 375 (1981).
365. Zwerdling, Zachary E. "Informed Consent and the Mental Patient: California Recognizes a Mental Patient's Right to Refuse Psychosurgery and Shock Treatment" 15 Santa Clara Lawyer 725 (1975).

### 1986/87 Supplement

1. Abrams, Lauren J. "Sexual Offenders and the Use of Depo-Provera," 22 San Diego L. Rev. 565-586 (1985).
2. Ainley, Matthew G. "Discontinuing Treatment of Comatose Patients Who Have Not Executed Living Wills," 19 Loyola of L.A. L. Rev. 61-109 (1985).
3. Anders, M. Maureen "Religious Counseling - Parents Allowed to Pursue Suit Against Church and Clergy for Son's Suicide - Nally v. Grace Community Church," [1985] Ariz. St. L. J. 213-236.
4. Anderson, Vicki "Right to Refuse Antipsychotic Medication: A Proposal for Legislative Consideration," 17 Indiana L. Rev. 1035-1063 (1984).
5. Appelbaum, Paul S. "Empirical Assessment of Innovation in the Law of Civil Commitment: A Critique," 13 Law, Medicine & Health Care 304-309 (1985).



6. "Bee v. Greaves: Pretrial Detention and the Constitutional Right to Refuse Antipsychotic Drugs - A Missed Opportunity to Protect Fundamental Rights," 22 Am. Crim. L. Rev. 835-857 (1985).
7. Bell, Peter A. "The Bell Tolls: Toward Full Tort Recovery for Psychic Injury," 36 U. Fla. L. Rev. 333-412 (1984).
8. Ben-Yehuda, Nachman "Deviance in Science: Towards the Criminology of Science," 26 Brit. J. Criminology 1-27 (1986).
9. Berger, Robert S. "The Psychiatric Expert as Due Process Decision-maker," 33 Buffalo L. Rev. 681-727 (1984).
10. Bonner, Raymond A. "Death Penalty," [1984] Ann. Surv. Am. L. 493-513, esp. pp. 505-512 ("Reliability of Psychiatric Evidence").
11. Brahams, Diana "Crime and Homelessness Among the Mentally Ill - II," 135 New L.J. 761-763 (1985).
12. Brofsky, Marc A. "Tort Law - Psychiatrists' Duty to Protect Foreseeably Endangered Third Parties: Petersen v. State," 18 Suffolk U. L. Rev. 879-886 (1984).
13. Buchele, Bonnie J. & James P. "Legal and Psychological Issues in the Use of Expert Testimony on Rape Trauma Syndrome," 26 Washburn L. J. 26-42 (1985).
14. Cantor, Norman L. "Conroy, Best Interests, and the Handling of Dying Patients," 37 Rutgers L. Rev. 543-577 (1985).
15. Chemay, Frederick E. "Unreliable Eyewitness Evidence: The Expert Psychologist and the Defense in Criminal Cases," 45 La. L. Rev. 721-746 (1985).
16. Cinelli, Giovanna M. & Nunnenkamp, Kenneth J. "Sterilization Technology and Decisionmaking: Rethinking the Incompetent's Rights," 2 J. Contemp. Health L. & Policy 275-304 (1986).
17. Curenton, James G. "The Twilight Zone of Danger: Negligent Infliction of Emotional Distress as an Actionable Tort," 15 Cumberland L. Rev. 519-539 (1985).
18. Dahl, Peter R. "Legal and Psychiatric Concepts and the Use of Psychiatric Evidence in Criminal Trials," 73 Calif. L. Rev. 411-442 (1985).
19. Delgado, Richard, "Fact, Norm, and Standard of Review - The Case of Homosexuality," 10 U. Dayton L. Rev. 575-598 (1985).
20. D'Emilio, Joann "Battered Woman's Syndrome and Premenstrual Syndrome: A Comparison of Their Possible Use as Defenses to Criminal Liability," 59 St. John's L. Rev. 558-587 (1985).

21. Dickens, Bernard M. "Terminal Care, Incompetent Persons and Donation," 3 Transplantation Today (May, 1986) 54-57.
22. Douglas, David S. et al. "Rx for the Elderly: Legal Rights (and Wrongs) Within the Health Care System," 20 Harv. Civ. Rts. - Civ. Liberties L. Rev. 425-483 (1985).
23. Dubbelday, Catharina J. H. "The Psychotherapist-Client Testimonial Privilege: Defining the Professional Involved," 34 Emory L.J. 777-826 (1985).
24. Dudziak, Mary L. "Oliver Wendell Holmes as a Eugenic Reformer: Rhetoric in the Writing of Constitutional Law," 71 Iowa L. Rev. 833-867 (1986).
25. Edwards, Frances L. & Ringleb, Al H. "Exposure to Hazardous Substances and the Mental Distress Tort: Trends, Applications, and a Proposed Reform," 11 Colum. J. Env. L. 119-139 (1986).
26. Eisner, Donald A. "Negligent Infliction of Emotional Distress: Evolution of an Independent Tort," 6 Am. J. Forensic Psychiatry 44-52 (1985).
27. Federici, William R. "Negligent Infliction of Emotional Distress: Plaintiff-Bystander Recovery," 6 Am. J. Forensic Psychiatry 17-37 (1985).
28. Felker, Ruth E. "Incest: The Need to Develop a Response to Intra Family Sexual Abuse," 22 Duquesne L. Rev. 901-925 (1984).
29. Fennell, Philip "Detention and Control of Informal Mentally Disordered Patients," [1984] J. Soc. Welfare L. 345-349.
30. Ferguson, Gerry "The Right to Treatment: Re Stephen Dawson," 6 Health Law in Canada 55-60 (1986).
31. Gelwan, Lloyd A. "Civil Commitment and Commitment of Insanity Acquittees," 11 New England J. Crim. & Civil Confinement 328-355 (1985).
32. Gorski, Sandra L. "Premature Infants: A Legal Approach to Decision-Making in Neonatal Intensive Care," 19 U.S.F. L. Rev. 261-281 (1985).
33. Gould, Stephen Jay "Carrie Buck's Daughter," 2 Constitutional Commentary 331-339 (1985).
34. Gramlich, Dean C. "An Indigent Criminal Defendant's Constitutional Right to a Psychiatric Expert," [1984] U. Ill. L. Rev. 481-505.
35. Harry, Bruce & Dietz, Park E. "Offenders in a Silent World: Hearing Impairment and Deafness in Relation to Criminality, Incompetence, and Insanity," 13 Am. Acad. Psychiatry & L. Bull. 85-96 (1985).

36. Herd, Charles H. "Criminal Law: Kansas Recognizes Rape Trauma Syndrome," 24 Washburn L. J. 653-665 (1985).
37. Hermann, Donald H. J. "Barriers to Providing Effective Treatment: A Critique of Revisions in Procedural, Substantive and Dispositional Criteria in Involuntary Civil Commitment," 39 Vanderbilt L. Rev. 83-106 (1986).
38. Hughes, Scott D. "Civil Commitment: Guardianship, Substituted Judgment, and Right to Refuse Psychiatric Treatment," 20 Gonzaga L. Rev. 479-509 (1984/85).
39. Kaiser, H. Archibald "Involuntary Psychiatry in Nova Scotia: The Review Board Reports (1979-1983) and Recent Proposals for Legislative Change," 6 Health Law in Canada 81-88 (1986).
40. Kaiser, H. Archibald "Legal Services for the Mentally Ill: A Polemic and a Plea," 35 U.N.B. L.J. 89-110 (1986).
41. Kelly, Timothy G. "Protecting the Handicapped Newborn: Where the Courts Failed and the Legislature Succeeded - The Child Abuse Amendments of 1984," 19 John Marshall L. Rev. 397-429 (1986).
42. Kemna, Donald J. "Current Status of Institutionalized Mental Health Patients' Right to Refuse Psychotropic Drugs," 6 J. Leg. Medicine 107-138 (1985).
43. Larsen, Steven B. "Recovery in New Jersey under Workers' Compensation for Mental Disabilities Caused by Job Stress and a Proposal for Change," 15 Rutgers L.J. 1033-1068 (1984).
44. Lauderdale, Helen J. "The Admissibility of Expert Testimony on Rape Trauma Syndrome," 75 J. Crim. L. & Criminology 1366-1416 (1984).
45. Liberman, Ellen "Mental Competency and Medical Treatment in Ontario," 6 Health Law in Canada 32-36, 44 (1985).
46. Lipuma, Frank "Psychosexual Differences Between Gender and Sexual Identities: Courts Construct the Title VII Female," 18 John Marshall L. Rev. 783-788 (1985).
47. Lombardo, Paul A. "Three Generations, No Imbeciles: New Light on Buck v. Bell," 60 N.Y.U. L. Rev. 30-62 (1985).
48. Macdonald, R. Peter "Medical, Ethical and Legal Considerations of Electroconvulsive Therapy," 22 Osgoode Hall L. J. 683-710 (1984).
49. McFarland, Larry "Depo-Provera Therapy as an Alternative to Imprisonment," 23 Houston L. Rev. 801-819 (1986).
50. McGraw, Bradley D. et al. "The 'Guilty But Mentally Ill' Plea and



Verdict: Current State of the Knowledge," 30 Villanova L. Rev. 117-191 (1985).

51. Martyn, Susan R. "Using the Brain Dead for Medical Research," [1986] Utah L. Rev. 1-28.
52. Mead, Susanah M. "Recovery for Psychic Harm in Strict Products Liability: Has the Interest in Psychic Equilibrium Come the Final Mile?" 59 St. John's L. Rev. 457-527 (1985); 35 Defense L.J. 193-266 (1986).
53. Mendel, Stephen A. "Negligent Infliction of Mental Distress Upon a Bystander in Texas," 26 So. Tex. L.J. 305-338 (1985).
54. Menninger, Karl A. II "Mental Retardation and Criminal Responsibility: Some Thoughts on the Idiocy Defense," 8 Int. J. L. & Psychiatry 343-357 (1986).
55. Minow, Martha "Beyond State Intervention in the Family: For Baby Jane Doe," 18 J. Law Reform 933-1014 (1985).
56. Molzen, Karen "New Mexico Establishes a Cause of Action for Negligent Infliction of Emotional Distress to a Bystander: Ramirez v. Armstrong," 15 N. Mex. L. Rev. 523-535 (1985).
57. Money, John "Sexual Reformation and Counterreformation in Law and Medicine," 4 Medicine & Law 479-488 (1985).
58. Moran, Karen M. "The Conflict Continues: Who Decides Treatment Questions for the Terminally-Ill Incompetent Patient?" 18 Suffolk U. L. Rev. 641-674 (1984).
59. Morris, Grant H. "Mental Health Professionals in the Criminal Justice Process: The ABA Standards," 21 Crim. L. Bull. 321-329 (1985).
60. Morse, Stephen J. "Excusing the Crazy: The Insanity Defense Reconsidered," 58 So. Calif. L. Rev. 777-836 (1985).
61. Murphy, John R. III "In the Wake of Tarasoff: Mediation and the Duty to Disclose," 35 Catholic U. L. Rev. 209-243 (1985).
62. Newman, Elaine "Charter Implications for Procedures Under the Ontario Mental Health Act," 5 Health Law in Canada 60-64 (1985).
63. Paprocki, Thomas J. "Malpractice in the Ministry," 3 Compleat Lawyer (Spring, 1986) 18-20.
64. Pattenden, Rosemary "Conflicting Approaches to Psychiatric Evidence in Criminal Trials: England, Canada and Australia," [1986] Crim. L. Rev. 92-102.
65. Pearson, Richard N. "Liability for Negligently Inflicted Psychic Harm:



- A Response to Professor Bell," 36 U. Fla. L. Rev. 413-435 (1984).
66. Phillips, Charles A. "'New' Rights for Handicapped Newborns: Baby Doe and Beyond," 22 Cal. Western L. Rev. 127-158 (1985).
  67. Phillips, M. S. et al. "The Advisory Review Board and Characteristics of Patients on Warrants of the Lieutenant Governor in Ontario," 13 Am. Acad. Psychiatry & L. Bull. 373-384 (1985).
  68. Pierce, David M. "Legal Applications of Neuropsychology," 13 Western St. U. L. Rev. 161-170 (1985).
  69. Polstein, Janet L. "Throwing Away the Key: Due Process Rights of Insanity Acquittees in Jones v. United States," 34 Am. U. L. Rev. 479-521 (1985).
  70. Porter, Cynthia R. "Automatic and Indefinite Commitment Following an Insanity Acquittal: Jones v. United States," 26 Boston Coll. L. Rev. 779-808 (1985).
  71. Poythress, Norman G. Jr. "Personal Responsibility in Psychiatry and the Law: A Philosophical Critique of Contemporary Concepts" (Book Review of Moore, Michael S. Law and Psychiatry: Rethinking the Relationship), [1985] Wisc. L. Rev. 67-78.
  72. Radelet, Michael L. & Barnard, George W. "Ethics and the Psychiatric Determination of Competency To Be Executed," 14 Am. Acad. Psychiatry & L. Bull. 37-53 (1986).
  73. Raine, Dennis H. "The Use of Depo-Provera for Treating Male Sex Offenders: A Review of the Constitutional and Medical Issues," 16 Toledo L. Rev. 181-230 (1984).
  74. Robertson, Douglas K. "In re Hamlin: Washington's Judicial Development of the Right to Die," 21 Willamette L. Rev. 847-884 (1985).
  75. Roesch, Ronald & Golding, Stephen L. "Who Is Competent to Stand Trial? The Lawyer's Evolving Role," Trial (September, 1985) 40-45.
  76. Rose, Nikolas "Unreasonable Rights: Mental Illness and the Limits of the Law," 12 J. L. & Society 199-218 (1985).
  77. Rozell, Sherry "Are Children Competent Witnesses?: A Psychological Perspective," 63 Wash. U. L.Q. 815-829 (1986).
  78. Rubin, Beth L. "Refusal of Life-Sustaining Treatment for Terminally Ill Incompetent Patients: Court Orders and an Alternative," 19 Colum. J. L. & Soc. Problems 19-68 (1985).
  79. Sands, Marc L. "The Attorney's Affirmative Duty to Warn Foreseeable Victims of a Client's Intended Violent Assault," 21 Tort & Ins. L.J. 355-374 (1986).

80. Schmidt, Winsor C. Jr. "Critique of the American Psychiatric Association's Guidelines for State Legislation on Civil Commitment of the Mentally Ill," 11 New England J. Crim. & Civil Confinement 11-43 (1985).
81. Schwartz, Paul "Parental Rights and the Habilitation Decision for Mentally Retarded Children," 94 Yale L. J. 1715-1740 (1985).
82. Shore, Jacques J. M. "An Evaluation of Canada's Dangerous Offender Legislation," 25 Cahiers de droit 411-426 (1984).
83. Shuman, Daniel W. "Behind Closed Doors: Limitations on Psychiatric and Psychological Evidence," 50 J. Air L. & Commerce 1011-1038 (1985).
84. Shuman, Daniel W. "Innovative Statutory Approaches to Civil Commitment: An Overview and Critique," 13 Law, Medicine & Health Care 284-289 (1985).
85. Simon, Robert I. "Coping Strategies for the Defensive Psychiatrist," 4 Medicine & Law 551-561 (1985).
86. Simon, Robert I. "Sexual Misconduct of Therapists: A Cause for Civil and Criminal Action," Trial (May, 1985) 46-51.
87. Slovenko, Ralph "Foreword: The Homosexual and Society: A Historical Perspective," 10 U. Dayton L. Rev. 445-457 (1985).
88. Soffin, Ellen S. "The Case for a Federal Psychotherapist-Patient Privilege That Protects Patient Identity," [1985] Duke L.J. 1217-1244.
89. Solnick, Paul B. "Proxy Consent for Incompetent Non-Terminally Ill Adult Patients," 6 J. Leg. Medicine 1-49 (1985).
90. Staub, Jane I. "Mental Incompetency and Civil Rights: Issues Raised by the Justin Clark and Martyn Humm Cases," 6 Health Law in Canada 3-8, 20 (1985).
91. T.A.G., "Psychiatrists Are Subject to Tort Liability for Failing to Protect the Public from Their Patients' Unintentional Acts: Petersen v. State," 63 Wash. U. L. Q. 315-324 (1985).
92. Tancredi, Laurence R. and Weisstub, David N. "Technology Assessment: Its Role in Forensic Psychiatry and the Case of Chemical Castration," 8 Int. J. L. & Psychiatry 257-271 (1986).
93. Teagle, Blan L. "Constitutional Law: Does a Privacy Right Protect a Bar Applicant's Mental Health Records from Complete Disclosure? Florida Board of Bar Examiners, Re: Applicant," 36 U. Fla. L. Rev. 537-544 (1984).

94. "The Testimony of Child Victims in Sex Abuse Prosecutions: Two Legislative Innovations," 98 Harv. L. Rev. 806-827 (1985).
95. Tomashefsky, Steve "Antipsychotic Drugs and Fitness to Stand Trial: The Right of the Unfit Accused to Refuse Treatment," 52 U. Chi. L. Rev. 773-794 (1985).
96. Troost, Glenn M. "Workers' Compensation and Gradual Stress in the Workplace," 133 U. Pa. L. Rev. 847-865 (1985).
97. Webb, Dale W. "The Mentally Retarded - A Quasi-Suspect Class?: Cleburne Living Center v. City of Cleburne," 19 U. Richmond L. Rev. 389-404 (1985).
98. Weisstub, David N. "Le droit et la psychiatrie dans leur problématique commune," 30 McGill L.J. 221-265 (1985).
99. Weller, Malcolm "The Limitations of Psychiatric Diagnoses," 51 Medico-Legal J. 231-235 (1983).
100. Westover, Gloria L. "In re Hays: Zealous Protection of the Voluntary Patient's Right to Request Discharge Prior to Involuntary Commitment," 18 John Marshall L. Rev. 751-765 (1985).
101. Winick, Bruce J. "Restructuring Competency to Stand Trial," 2 U.C.L.A. L. Rev. 921-985 (1985).
102. Wolfe, Charles "In Search of Equal Protection: Are the Mentally Retarded Lost in Wonderland?" 54 UMKC L. Rev. 541-552 (1986).
103. Wood, Amy T. "Withholding Lifesaving Treatment from Defective Newborns: An Equal Protection Analysis," 29 St. Louis U. L.J. 853-879 (1985).
104. Zeichner, Ben "The Role of Unconscious Conflict in Informed Consent," 13 Am. Acad. Psychiatry & L. Bull. 283-290 (1985).

### 1987/88 Supplement

1. Abright, A. Reese, "Psychiatric Aspects of Sexual Abuse" (1986) 14 Bulletin of American Academy of Psychiatry & the Law 332-343.
2. Baldwin Bartley, Diane, "State v. Field: Wisconsin Focuses on Public Protection by Reviving Automatic Commitment Following a Successful Insanity Defense" (1986) 1986 Wisconsin L. Rev. 781-810.
3. Beck, James C., "The Psychotherapist's Duty to Protect Third Parties from Harm" (1987) 11 Mental and Physical Disability Law Reporter (No. 2) 141-148.



4. Benjamin, G. Andrew H. et al., "The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers" (1986) 1986 American Bar Foundation Research Journal 225-252.
5. Benson Goldberg, Stephanie, "The Meaning of 'Handicapped'" (March 1, 1987) ABA Journal 56-61.
6. Blaine, James G. and Mason, John H., "Application of the Fair Labor Standards Act to Patient Work Programs at Mental Health Institutions: A Proposal for Change" (1986) 27 Boston College L. Rev. 553-577.
7. Bloch, Kate E., "The Role of Law in Suicide Prevention: Beyond Civil Commitment - A Bystander Duty to Report Suicide Threats" (1987) 39 Stanford L. Rev. 929-953.
8. Bloche, M. Gregg, "Law, Theory, and Politics: The Dilemma of Soviet Psychiatry" (1986) 11 Yale J. Int'l Law (No. 2) 297-361.
9. Brennan, Troyen A., "Ethics in Health Care: Do-Not-Resuscitate Orders for the Incompetent Patient in the Absence of Family Consent" (1986) 14 Law, Med. & Health Care 13-19.
10. Brooks, Lee W., "Intentional Infliction of Emotional Distress by Spiritual Counselors: Can Outrageous Conduct Be 'Free Exercise'?" (1986) 84 Michigan L. Rev. 1296-1325.
11. Bursten, Ben, "Psychiatric Injury in Women's Workplaces" (1986) 14 Bull. Am. Acad. Psychiatry 245-251.
12. Chait, Linda R., "Premenstrual Syndrome & Our Sisters in Crime: A Feminist Dilemma" (1986) 9 Women's Rights Law Reporter 267-293.
13. Churgin, Michael J., "The Charter of Rights and Freedoms and the Mental Health System: A Comparison of Law as Written and Law as Applied" (1987) 7 Health Law in Canada (No. 4) 100-105.
14. Coles, E.M., and Pos, R., "Assessment of Fitness to Stand Trial: a Critique" (1986) 5 Med. & Law 489-498.
15. Cook, Timothy M., "The Scope of the Right to Meaningful Access and the Defense of Undue Burdens under Disability Civil Rights Law" (1987) 20 Loyola of Los Angeles L. Rev. 1471-1526.
16. Costello, Jan C. and Preis, James J., "Beyond Least Restrictive Alternative: A Constitutional Right to Treatment for Mentally Disabled Persons in the Community" (1987) 20 Loyola of Los Angeles L. Rev. 1527-1558.
17. Dalton, Fred C., "Dangerous, Mentally Disordered Offenders in the Correctional Population" (1987) 8 Am. J. Forensic Psychiatry (No. 1) 11-20.



18. Dawson, John, "'Fundamental Rights' and the Mentally Disabled" (1986) 6 Otago L. Rev. (No. 2) 291-305.
19. DeBusk, Susan E., "Alaska's Insanity Defense and the 'Guilty But Mentally Ill' Verdict" (1987) 4 Alaska L. Rev. 171-196.
20. Dresser, Rebecca, "Life, Death, and Incompetent Patients: Conceptual Infirmities and Hidden Values in the Law" (1986) 28 Arizona L. Rev. 373-405.
21. Drob, Sanford L., Berger, Robert H. & Weinstein, Henry C., "Competency to Stand Trial: A Conceptual Model For Its Proper Assessment" (1987) 15 Bulletin Am. Acad. Psychiatry & Law 85-94.
22. Earp, Bob, "Psychological Harm and Heart Injuries Related to Strain or Exertion in Workers' Compensation Litigation" (1986) 18 St. Mary's L.J. 527-542.
23. Fentiman, Linda C., "Whose Right Is It Anyway?: Rethinking Competency to Stand Trial in Light of the Synthetically Sane Insanity Defendant" (1986) 40 U. Miami L. Rev. 1109-1169.
24. Flaccus, Janet A., "Handicap Discrimination Legislation: With Such Inadequate Coverage at the Federal Level, Can State Legislation Be of Any Help?" (1986) 40 Arkansas L. Rev. 261-326.
25. Forer, Lois G., "Law and the Unreasonable Person" (1987) 36 Emory L.J. 181-201.
26. Frost, Warren F. and Karaim, Ryan E., "The 1986 Kansas Involuntary Commitment Statute: Is Easier Necessarily Better?" (1986) 26 Washburn L.J. 131-177.
27. Goldberg, B. Abbott, "The Sterilization of Incompetents and the 'Late Probate Court' in California: How Bad Law Makes Hard Cases" (1986) 18 Pacific L.J. 1-30.
28. Goodman, Mark P., "The Right to a Partisan Psychiatric Expert: Might Indigency Preclude Insanity?" (1986) 61 New York U.L. Rev. 703-737. *L. poverty*
29. Gordon, Robert M. and Verdun-Jones, Simon N., "The Impact of the Canadian Charter of Rights and Freedoms Upon Canadian Mental Health Law: The Dawn of a New Era or Business as Usual?" (1986) 14 Law, Med. & Health Care (No. 3-4) 190-197.
30. Gordon, Robert M. and Verdun-Jones, Simon N., "The Implications of the Canadian Charter of Rights and Freedoms for the Law Relating to Guardianship and Trusteeship" (1987) 10 Int'l J. Law & Psychiatry 21-34.

31. Gottesman, Marcia, "Civil Liability for Failing to Provide 'Medically Indicated Treatment' to a Disabled Infant" (1986) 20 Family L.Q. (No. 1) 61-77.
32. Green, William, "Depo-Provera, Castration, and the Probation of Rape Offenders: Statutory and Constitutional Issues" (1986) 12 U. Dayton L. Rev. (No. 1) 1-26.
33. Grisso, Thomas, Miller, Michael O. & Sales, Bruce, "Competency to Stand Trial in Juvenile Court" (1987) 10 Int'l J. Law & Psychiatry 1-20.
34. Gualtieri, C. Thomas, Sprague, Robert L. & Cole, Jonathan O., "Tardive Dyskinesia Litigation and the Dilemmas of Neuroleptic Treatment" (1986) 14 J. Psychiatry & Law 187-216.
35. Gunn, M.J., "Sex and the Mentally Handicapped: A Lawyer's View" (1986) 5 Med. & Law 255-263.
36. Harter Mitchell, Mary, "Must Clergy Tell? Child Abuse Reporting Requirements Versus the Clergy Privilege and Free Exercise of Religion" (1987) 71 Minnesota L. Rev. 723-825.
37. Hermann, Donald H., "Amnesia and the Criminal Law" (1986) 22 Idaho L. Rev. 257-289.
38. Heylen, R., "Problems of Proof Resulting from Brachial Plexus Lesions Discovered during the Postanaesthetic Period: Review of the Belgian Law Claims" (1986) 5 Med. & Law 365-370.
39. Hochstedler, Ellen, "Criminal Prosecution of the Mentally Disordered" (1986) 20 Law & Society Rev. 279-292.
40. Holtzman, Elizabeth, "Premenstrual Symptoms: No Legal Defense" (1986) 60 St. John's L. Rev. 712-715.
41. Hoyt, Jane D. and Davies, James M., "Meeting the Need for Clear Guidelines: Protecting Vulnerable Adults from Improper Limitation of Medical Treatment in Institutions" (1986) 4 Law & Inequality 355-378.
42. Ivers, William N., "When Must a Priest Report Under a Child Abuse Reporting Statute? - Resolution to the Priests' Conflicting Duties" (1987) 21 Valparaiso U.L. Rev. 431-465.
43. Jakimiec, J. et al., "Dangerous Offenders in Canada, 1977-1985" (1986) 9 Int'l J. Law & Psychiatry 479-490.
44. Jones, Geoffrey L., "Gray Areas and Gray Matter: Compensable Psychic Injury Under Pennsylvania Workmen's Compensation Law" (Winter 1986) Dickinson L. Rev. 583-608.

45. Kaplan, Leonard V., and Miller, Robert D., "Courtroom Psychiatrists: Expertise at the Cost of Wisdom?" (1986) 9 Int'l J. Law & Psychiatry 451-468.
46. Keegan, Kathryn, "The Clergy-Penitent Privilege and the Child Abuse Reporting Statute: Is the Secret Sacred?" (1986) 19 John Marshall L. Rev. 1031-1051.
47. Klofas, John and Weisheit, Ralph, "Pleading Guilty but Mentally Ill: Adversarial Justice and Mental Health" (1986) 9 Int'l J. Law & Psychiatry 491-502.
48. Krasik, Elaine B., "The Role of the Family in Medical Decision-making for Incompetent Adult Patients: A Historical Perspective and Case Analysis" (1987) 48 U. Pittsburgh L. Rev. 539-618.
49. Levy, Alan M., "Psychopathological Responses to Threatened Custody Loss" (Fall-Winter 1986) J. Psychiatry & Law 435-446.
50. Lewis, Marjorie B., "Duty to Warn Versus Duty to Maintain Confidentiality: Conflicting Demands on Mental Health Professionals" (1986) 20 Suffolk U.L. Rev. 579-615.
51. Malcolm, John Gulton, "Treatment Choices and Informed Consent in Psychiatry: Implications of the Osheroff Case for the Profession" (1986) J. Psychiatry & Law 9-107.
52. Mangrum, Barbara J., "Medical Treatment of Handicapped Infants: Who Should Make the Decision?" (1986) 22 Tulsa L.J. 259-279.
53. Marcus, Eric H., "The Dilemma of the Malingering Patient-Litigant" (1987) 8 Am. J. Forensic Psychiatry (No. 1) 3-10.
54. Marcus, Eric H., "Malingering or Mental Distress?" (1986) 35 Defense L.J. 705-714.
55. Mason, Richard G., "Rights of the Mentally Disabled" (1986) 1986 Annual Survey of American Law (No. 1) 195-219.
56. Mayes, Jane E., "Striking Down the Clergyman-Communicant Privilege Statutes: Let Free Exercise of Religion Govern" (1987) 62 Indiana L.J. 397-423.
57. McCord, David, "Expert Psychological Testimony About Child Complainants in Sexual Abuse Prosecutions: A Foray into the Admissibility of Novel Psychological Evidence" (1986) 77 J. Criminal Law & Criminology 1-68.
58. Mental Health Law Project Staff, "Developments in Mental Disability Law: 1986" (1987) 20 Clearinghouse Rev. 1148-1155.



59. Mestrovic, Stjepan G., "Derangement in the Study of Derangement: A Review of the Literature on the New Psychiatric Commitment Laws" (1986) 5 Med. & Law 405-415.
60. Mickenberg, Ira, "A Pleasant Surprise: The Guilty But Mentally Ill Verdict has Both Succeeded in its Own Right and Successfully Preserved the Traditional Role of the Insanity Defense" (1987) 55 Cincinnati L. Rev. 943-996.
61. Miller, Robert D., Maier, Gary J., & Kaye, Michael, "The Right to Remain Silent During Psychiatric Examination in Civil and Criminal Cases - A National Survey and an Analysis" (1986) 9 Int'l J. Law & Psychiatry (No. 1) 77-94.
62. Minow, Martha, "When Difference Has Its Home: Group Homes for the Mentally Retarded, Equal Protection and Legal Treatment of Difference" (1987) 22 Harvard Civil Rights 111-189.
63. National Legal Center for the Mentally Dependent and Disabled Staff, "Medical Treatment for Older People and People with Disabilities: 1986 Developments" (1987) 20 Clearinghouse Rev. 1245-1254.
64. Nicholson, Robert A. and Horn, Joseph M., "A Discriminant Analysis of Committed and Voluntary Psychiatry Patients" (1986) 14 J. Psychiatry & Law 159-176.
65. O'Reilly, Joseph and Sales, Bruce, "Privacy for the Institutionalized Mentally Ill: Are Court-Ordered Standards Effective?" (1987) 11 Law & Human Behavior (No. 1) 41-53.
66. Parton, Craig Andrews, "When Courts Came Knocking At The Cult's Door: Religious Cults And The First Amendment" (1987) 9 Comm/Ent L.J. 279-305.
67. Passaglia, Charles T., "City of Cleburne v. Cleburne Living Center and the Supreme Court: Two Minorities Move Toward Acceptance" (1986) 63 Denver U.L. Rev. 697-712.
68. Pastroff, Sanford M., "Eighth Amendment - The Constitutional Rights of the Insane on Death Row" (1986) 77 J. Criminal Law & Criminology 844-866.
69. Peters, Roger et al., "The Effects of Statutory Change on the Civil Commitment of the Mentally Ill" (1987) 11 Law & Human Behavior (No. 2) 73-99.
70. Polowich Finch-Noyes, Carol Anne, "Sterilization of the Mentally Retarded Minor: The Re K Case" (1986) 5 Can. J. Fam. L. 277-299.
71. P.R.H.W., "Marriage Between Mental Patients - Caveat by Father" (1986) 12 N.Z. Recent Law 360-362.



72. Purdy, Sherry M., "Videotaped Testimony in Child Sexual Abuse Cases: United States v. Binder" (1987) 23 Willamette L. Rev. (No. 1) 193-209.
73. Rebell, Michael, "Structural Discrimination and the Rights of the Disabled" (1986) 74 Georgetown L.J. 1435-1489.
74. Reininger, Nancy M., "City of Cleburne v. Cleburne Living Center: Rational Basis With a Bite?" (1986) 20 U. San Francisco L. Rev. 927-948.
75. Resnick, Phillip J., "Perceptions of Psychiatric Testimony: A Historical Perspective on the Hysterical Invective" (1986) 14 Bull. Am. Acad. Psychiatry Law 203-219.
76. Richardson, Carol A., "The Right to Treatment: Society for Good Will to Retarded Children, Inc. v. Cuomo" (1986) 80 Northwestern U.L. Rev. 1355-1382.
77. Rubenstein, Leonard S., "Access to Treatment and Rehabilitation for Severely Mentally Ill Poor People" (1986) 20 Clearinghouse Rev. 382-393.
78. Saks, Elyn R., "The Use of Mechanical Restraints in Psychiatric Hospitals" (1986) 95 Yale L.J. 1836-1856.
79. Schmidt, Winsor C. Jr., "Considerations of Social Science in a Reconsideration of Parnham v. J.R. and the Commitment of Children to Public Mental Institutions" (Fall-Winter 1985) J. Psychiatry & Law 339-359.
80. Schwartz, Steven J. and Costanzo, Cathy E., "Compelling Treatment in the Community: Distorted Doctrines and Violated Values" (1987) 20 Loyola of Los Angeles L. Rev. 1329-1430.
81. Scott, Elizabeth S., "Sterilization of Mentally Retarded Persons: Reproductive Rights and Family Privacy" (1986) 1986 Duke L.J. 806-865.
82. Segal, Steven P., Watson, Margaret A. & Nelson, Scott, "Consistency in the Application of Civil Commitment Standards in Psychiatric Emergency Rooms" (1986) 14 J. Psychiatry & Law 125-148.
83. Sendor, Benjamin B., "Crime as Communication: An Interpretive Theory of the Insanity Defense and the Mental Elements of Crime" (1986) 74 Georgetown L.J. 1371-1434.
84. Shelowitz, Paul A., "Drug Use, Misuse, and Abuse Among the Elderly" (1987) 6 Med. & Law 235-250.

85. Shuman, Daniel W., Weiner, Myron F., & Pinard, Gilbert, "The Privilege Study (Part III): Psychotherapist-Patient Communications in Canada" (1986) 9 Int'l J. Law & Psychiatry 393-430.
86. Smith, Steven R., "Medical and Psychotherapy Privileges and Confidentiality: On Giving With One Hand and Removing With the Other" (1986-87) 75 Kentucky L.J. 473-557.
87. Steigler, Anthony Michael, "Worker's Compensation: Compensating Claimants Who Suffer Psychological Disabilities Caused Solely by Job-Related Mental Stress" (1986) 60 Tulane L. Rev.
88. Steinhoff, Scott A., "City of Cleburne v. Cleburne Living Center: Denial of Quasi-Suspect Status for the Mentally Retarded and Its Effect on Exclusionary Zoning of Group Homes" (1986) 17 Toledo L. Rev. 1041-1075.
89. Swartz, Marvin S., "What Constitutes a Psychiatric Emergency: Clinical and Legal Dimensions" (1987) 15 Bulletin Am. Acad. Psychiatry & Law 57-68.
90. Tait, Janice, "Reproductive Technologies and the Rights of Disabled Persons" (1986) 1 Can. J. Women & Law (No. 2) 446-455.
91. Tancredi, Laurence R. and Weisstub, David N., "Law, Psychiatry, and Morality: Unpacking the Muddled Prolegomenon" (1986) 9 Int'l J. Law & Psychiatry (No. 1) 1-38.
92. Taranto, Richard G., "The Psychiatrist-Patient Privilege and Third-Party Payers: Commonwealth v. Kobrin" (1986) 14 Law, Med. & Health Care 25-29.
93. Taub, Sheila, "Tardive Dyskinesia: Medical Facts and Legal Fictions" (1986) 30 St. Louis U.L.J. 833-873.
94. Taylor, Pamela, "The Psychiatric Problems of Life Sentence Prisoners" (1986) 54 Medico-Legal Journal 203-218.
95. Temple, Kristin, "The Right to Refuse Treatment" (Fall-Winter 1986) J. Psychiatry & Law 375-407.
96. Templeton, Marcia, "The Psychotherapist-Patient Privilege: Are Patients Victims in the Investigation of Medicaid Fraud?" (1986) 19 Indiana L. Rev. 831-851.
97. Uphoff, Rodney J., "Depo-Provera for the Sex Offender: A Defense Attorney's Perspective" (Sept.-Oct. 1986) Crim. L. Bull. 430-444.
98. Wexler, David B., "Grave Disability and Family Therapy: The Therapeutic Potential of Civil Libertarian Commitment Codes" (1986) 9 Int'l J. Law and Psychiatry (No. 1) 39-56.

99. Wuester Milne, Terry, "'Bless me Father, For I am About to Sin...': Should Clergy Counselors have a Duty to Protect Third Parties" (1986) 22 Tulsa L.J. 139-165.
100. Williams, Michael J., "The Right to Treatment For Developmentally Disabled Persons: Reassessment of an Evolving Legal and Scientific Interface" (1987) 63 North Dakota L. Rev. 7-39.
101. Wunder, Mark V., "Equal Protection and the Mentally Retarded: A Denial of Quasi-Suspect Status in City of Cleburne v. Cleburne Living Center" (1986) 72 Iowa L. Rev. 241-254.
102. Young, Jeffery T. et al., "Treatment Refusal Among Forensic Inpatients" (1987) 15 Bulletin Am. Acad. Psychiatry & Law 5-13.
103. Zajc, Maria, "The Right to Refuse Antipsychotic Medication: Who Decides?" (1987) 6 Med. Law 45-68.





SUPPLEMENT 1988/89

1. Aber, M.S., and RePucci, N.D.. "The Limits of Mental Health Expertise in Juvenile and Family Law," 10 Int'l Journal of Law and Psychiatry (no. 2) 167-184.
2. Anonymous, "Landmark House of Lords ruling in the Jeanette Sterilisation Case," 61 Australian Law Journal (no. 8) 385-387.
3. Apostol, S.K. "Constitutional Law - Mental Health," 62 North Dakota Law Review (no. 1) 95-107.
4. Barkor, A. "Mentally Disordered Offenders and the Courts," 152 Justice of the Peace (no. 7) 100-104.
5. Berezofsky, E.Z. "Post Traumatic Stress Disorder and the Technological Disaster," 18 Rutgers Law Journal (no. 3) 623-661.
6. Berlin, F.S. "Interviews with Five Rapists," VII (1986) American J. of Forensic Psychiatry (no. 4) 11-41.
7. Bolton, M.A. "Whatever Happened to Eve?," 17 Manitoba Law Journal (no. 2) 219-226.
8. Brooks, A.D. "The Right to Refuse Antipsychotic Medications: Law and Policy," 39 (winter/spring 1987) Rutgers Law Review (no. 2/3) 339-376.
9. Bromberg, W. "The Life and Death of Psychopathic Personality," 11 (Sept. 1986) AAPL Newsletter (no. 2) 37-39.
10. Carlson, C.H. "Medical Lapses: Tardive Dyskinesia: Hadeen v. U.S. Veterans Administration," VII (1986) American J. of Forensic Psychiatry (no. 4) 49-56.
11. Celio, C.M. "Compensating Mental Stress Under Workers' Compensation: Zipoli v. Town of Watertown Board of Education," 19 Connecticut Law Review (no. 3) 615-639.
12. Cohn, D.S. "Offensive Use of the Insanity Defense: Imposing the Insanity Defense Over the Defendant's Objection," 15 Hastings Constitutional Law Quarterly 295-318.
13. Court Decision. "In Re B. (A Minor) (Wardship: Sterilisation)," 7 (1988) Medicine and Law 95-101.
14. Dawes, G.W. "Eligibility for Worker's Compensation in Cases of Nontraumatic Mental Injury: The Development of the Unusual Stress Test in Wisconsin," 1987 Wisconsin Law Review (no. 2) 363-375.
15. Dickens, B.M. "Eve v. E. - Case Comment," 2 Canadian Family Law Q. (no.

1) 103-117.

16. Donahue, S.M. "In Re Debra B: The Best Interest Standard in Court Authorized Sterilization of the Mentally Retarded," 39 Maine Law Review 209-232.
17. Durham, M.L. and La Fond, J.Q.. "A Search for the Missing Premise of Involuntary Therapeutic Commitment: Effective Treatment of the Mentally Ill," 40 Rutgers Law Review (no. 2) 303-368.
18. Goldstein, R.L. "Castles in the Air: The Credibility of Forensic Psychiatrists," 11 (Sept. 1986) AAPL Newsletter (no. 2) 35-37.
19. Goldstein, R.L. "The Twilight Zone Between Scientific Certainty and Legal Sufficiency: Should a Jury Determine the Causation of Schizophrenia," 15 (1987) Bull Am. Assoc. Psychiatry and Law 95-104.
20. Gostin, L. "Human Rights in Mental Health: A Proposal for Five International Standards Based Upon the Japanese Experience," 10 (1987) Int'l J of Law and Psychiatry (no. 4) 353-368.
21. Grad, F.P. "Communicable Disease and Mental Health: Restrictions of the Person," 12 American Journal of Law & Medicine (no. 3) 381-404.
22. Griesel, C. "Compensability of Mental Injuries Induced by Mental Stimulus Under Texas Workers' Compensation Law - A Time for Change," 18 Texas Tech Law Review (no. 4) 1231-1260.
23. Griffiths, L. "The Enduring Power of Attorney (mental incapacity)," January 1987 Family Law 7-12.
24. Grubb, A., and Pearl, D. "Sterilisation and the Courts," 46 (1987) Cambridge Law Journal (no. 3) 439-464.
25. Grubb, A., and Pearl, D. "Handicapped Girls and Judicial Parents," 103 (1987) The Law Quarterly Review 331-346.
26. Gunn, M.J. "Treatment and Medical Handicap," 16 Anglo. American Law Review (no. 3) 242-267.
27. Hes, J.P., et al. "Some Psychological and Legal Considerations in the Determination of Incompetence in the Elderly," Spring 1988 Medicine and Law 151-159.
28. Hilton, N.Z. "Against Using P.M.S. in Criminal Court Cases," 151 Justice of the Peace (no. 10) 152-153.
29. Hinchliffe, M. "Re B (a Minor)" 17 (1987) Family Law 271-274.
30. Hogan, C. "The Involuntarily Committed Patient's Qualified Right to

Refuse Psychotropics in New York," 51 Albany Law Review (no. 2) 333-368.

31. Hudson, A.H. "Mental Incapacity Revisited," May/June 1986 Conveyancer and Property Lawyer 178-186.
32. Jeffreys, C.A. "The Role of Mental Health Professionals in Child Custody Resolution," 15 Hofstra Law Review (no. 1) 115-138.
33. Kenny, A. "The Psychiatric Expert in Court," 14 (1984) Psychological Medicine 291-302.
34. Kluge, E-H.W. "After 'Eve': Whither Proxy Decision Making?," 137 (Oct 15, 1987) CMAJ 715-720.
35. Knapp, S.J. et al. "Privileged Communications for Psychotherapists in Pennsylvania: A Time for Statutory Reform," 60 Temple Law Quarterly (no. 2) 267-292.
36. Lee, S. "Sterilisation," 103 (1987) The Law Quarterly Review 331-346.
37. Lynch, S.P.J. "Criminality in the Elderly and Psychiatric Disorder: A Review of the Literature," 28 (1988) Med. Sci. Law (no. 1) 65-74.
38. MacFarlane, P.J.M. "Unfitness to be Tried For an Offense," 11 (1987) Criminal Law Journal (no. 2) 67-95.
39. Mccord, D. "Syndromes, Profiles and Other Mental Exotica: A New Approach to the Admissibility of Nontraditional Psychological Evidence in Criminal Cases," 66 Oregon Law Review (no. 1) 19-108.
40. McNamara, P. "Book Reviews: Psychiatry, the Criminal Law and Corrections: an Exercise in Sciolism by AA. Barthoremere," 10 (1986) Adelaide Law Review (no. 4) 505-510.
41. Melton, G.B. "Law and Random Events: The State of Child Mental Health Policy," 10 International Journal of Law and Psychiatry (no. 2) 81-90.
42. Miller, R.S. "Psychological Approaches to Chronic Pain: Assessment and Treatment," 7 Advocates' Quarterly 148-155.
43. Mills, M.J. et al. "Protecting Third Parties: A Decade After Tarasoff," 144 American Journal of Psychiatry (no. 1) 68-74.
44. Mintz, S. "The Nightmare of Forcible Medication: the New York Court of Appeals Protects the Rights of the Mentally Ill Under The State Constitution," 53 Brooklyn Law Review 885-917.
45. Mitchell, C.N. "Legal Restraint, Happiness and Anxiety - Parallels Between Utilitarianism and Psychiatry," 10 (1987) Int'l J. of Law and Psychiatry 265-281.



46. Morse, S.J. "Treating Crazy People Less Specially," 90 West Virginia Law Review (no. 2) 353-385.
47. Orenstein, T.P., and Kevi, A.R. "Mental Health Experts from Couch to Courtroom," 9 Family Advocate (no.3) 36-39.
48. Parry, J. "Psychiatric Care and the Law of Substitute Decision-Making," 11 Mental and Physical Disability Law Reports (no. 3) 152-159.
49. Perlin, M.L. "The Supreme Court and the Mentally Disabled Criminal Defendant: Recent Developments," 15 Bulletin of the American Academy of Psychiatry and the Law (no. 4) 391-409.
50. Pogrebin, M.R. and Poole, E.D. "Deinstitutionalization and Increased Arrest Rates Among the Mentally Disordered," Spring 1987 The Journal of Psychiatry and Law 117-127.
51. Redmon, M.A. "The Duty of California counties to Provide Mental Health Care for the Indigent and Homeless," 25 San Diego Law Review (no. 1) 197.
52. Rubin, J. "Mental Health Professionals and the Duty to Warn: An Economic Analysis," 10 (1987) Int'l J. of Law and Psychiatry (no. 4) 311-337.
53. Rudinsky, P.J. "California Law Governing the Sterilization of Developmentally Disabled Persons Changes Course: Conservatorship of Valorie W.," 22 Willamette Law Review 622-629.
54. Sadoff, R.C. "A Killing Cure," 7 (1986) Review The Journal of Legal Medicine (no. 4) 547-556.
55. Salquero, R.G. "Medical Ethics and Competency to be Executed," 96 Yale Law Journal (no. 1) 167-186.
56. Schneider, S. "The Adoptee: Interface Between Psychiatry, Law and Ethics," 1986 Modern Law 441-448.
57. Schulte, J.L. "Propranolol - An Alternative Therapy for Schizophrenics Manifesting Chronic Violence," VII (1986) American J. of Forensic Psychiatry (no. 4) 43-48.
58. Shone, M.A. "Mental Health - Sterilization of Mentally Retarded Persons - Parens Patriae Power: Re Eve," 66 The Canadian Bar Review (no. 3) 635.
59. Silfen, P. "Psychotherapy of Mentally Disturbed Criminals: Illusion or Reality?," 5 Medicine and Law 427-430.
60. Slater, Robert G. "Abuses of Psychiatry in a Correctional Setting," 7



American Journal of Forensic Psychiatry (no. 3) 41-47.

61. Slogan, W.G. "The Impact of Victimization of Fear," 33 Crime and Delinquency (no. 1) 135-154.
62. Smilie, C. and Mesa, V.B. "Mental Anguish Damages for Witnessing Injury to a Close Relation," 48 Louisiana Law Review (no. 4) 1005-1017.
63. Snowden, P. "Forensic Psychiatry Services and Regional Secure Units in England and Wales: An Overview," Dec. 1986 Criminal Law Review 790-799.
64. Tait, J.J. "Reproductive Technology and The Rights of Disabled Persons," 1 (1986) J. of Women and the Law 446-455.
65. Tanford, I.A. and Tanford, S. "Better Trials Through Science: A Defense of Psychologist - Lawyer Collaboration," 66 North Carolina Law Review 741-780.
66. Tremper, C.R., and Kelly, T.P. "The Mental Health Rationale for Policies Fostering Minors' Autonomy," 10 Int'l Journal of Law and Psychiatry (no. 2) 17 pages.
67. Upholt, R.D. "The Role of the Criminal Defence Lawyer in Representing the Mentally Impaired Defendant: Tedious Advocate or Officer of the Court?," 1988 Wisconsin Law Review (no. 1) 65-109.
68. Weithorn, L.A. "Mental Hospitalization of Troublesome Youth: An Analysis of Skyrocketing Admission Rates," 40 Stanford Law Review (no. 3) 773-838.
69. Weller, and Malcolm, P.I. "Something More to Say, (Mental Health Patients)," 150 Lord Government Review (no. 35) 561-566.

